



Staff Report

STAFF REPORT DATE: November 28, 2018

HEARING DATE: December 5, 2018

TO: Interested Parties

FROM: Sambo Kirkman, Senior Planner

JCF

PROPOSAL: **West End District Mix-Use Development
DR2018-0149 / LD2018-0034 / LD2018-0035 / LO2018-0006 /
SDM2018-0010**

LOCATION: The site is located on the northwest corner of SW Murray Boulevard and SW Tualatin Valley Highway. The project site is also identified as Tax Lots 100, 200, and 300 on Washington County Tax Assessor's Map 1S108DD.

SUMMARY: The applicant, Urban Form Development, requests approval of the following land use applications for the West End District Mixed Use Development. A Design Review Type Three application to construct approximately 424 residential units and 31,000 square feet of commercial area, with associated roadway improvements, landscaping, a pedestrian plaza, a community center, and swimming pool. Two Land Division applications are to address the lot consolidation of three lots over two phases of development. The Loading Determination is to allow loading for the mixed use areas to be designated in the parking lots at the rear of the building in specific locations. The proposal also includes a Sidewalk Design Modification to create curb-tight sidewalks along proposed Street B, an east-west connection.

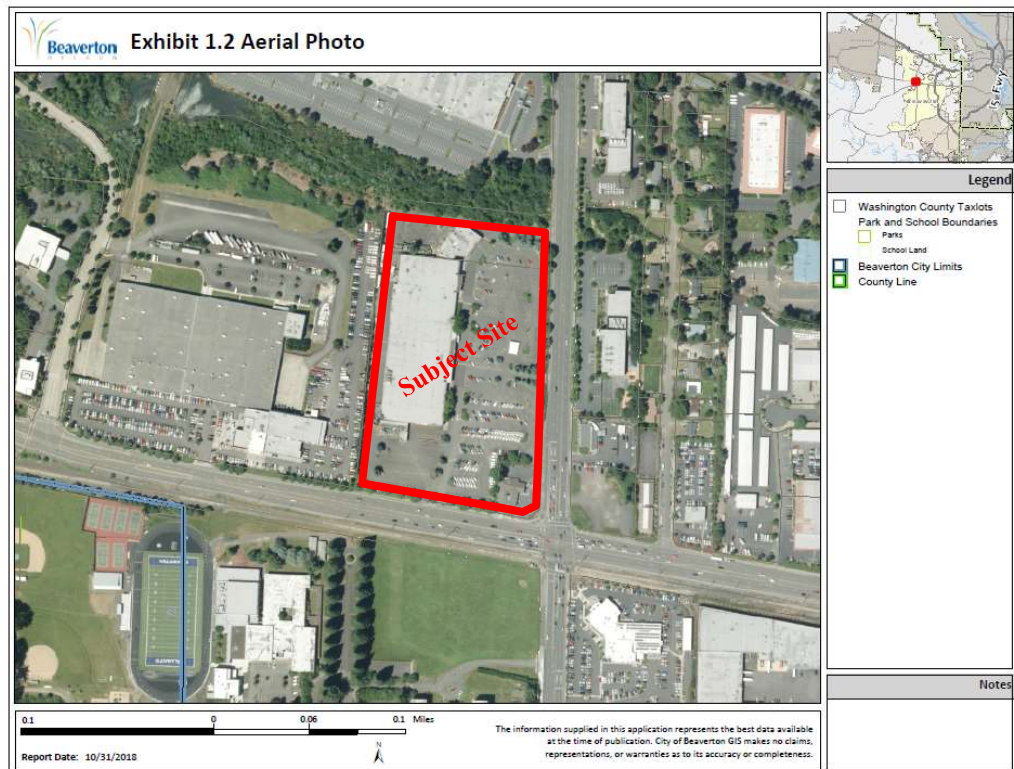
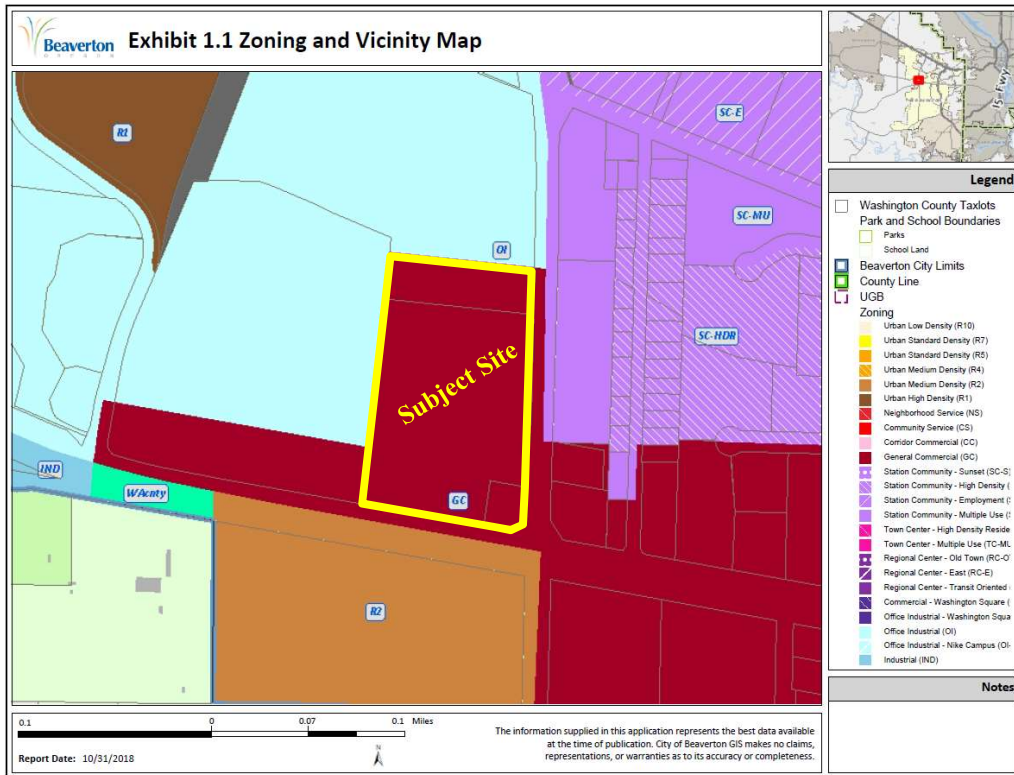
APPLICANT: Urban Form Development Company
Fred Gast
703 Broadway Street, Suite 510
Vancouver, WA 98660

APPLICANT'S
REPRESENTATIVE: Pacific Community Design, Inc.
Stacy Connery
12564 SW Main Street
Tigard, OR 97223

PROPERTY
OWNER: Sisters of St. Mary
4440 SW 148th Avenue
Beaverton, OR 97007

RECOMMENDATION: **APPROVAL of DR2018-0149 / LD2018-0034 / LD2018-0035 / LO2018-0006 / SDM2018-0010 West End District Mixed Use Development**, subject to conditions identified at the end of this report.

ZONING/VICINITY/AERIAL MAP



BACKGROUND FACTS

Key Application Dates

| Application | Submittal Date | Deemed Complete* | 120-Day | 365-Day** |
|---------------------|----------------|------------------|-------------------|---------------|
| DR2018-0149 | Oct. 17, 2018 | Oct. 17, 2018 | February 14, 2019 | Oct. 17, 2019 |
| LD2018-0034 | Oct. 17, 2018 | Oct. 17, 2018 | February 14, 2019 | Oct. 17, 2019 |
| LD2018-0035 | Oct. 17, 2018 | Oct. 17, 2018 | February 14, 2019 | Oct. 17, 2019 |
| LO2018-0006 | Oct. 17, 2018 | Oct. 17, 2018 | February 14, 2019 | Oct. 17, 2019 |
| SDM2018-0010 | Oct. 17, 2018 | Oct. 17, 2018 | February 14, 2019 | Oct. 17, 2019 |

* Applicant requested the applications be accepted as complete upon submittal.

** Pursuant to Section 50.25.9 of the Development Code this is the latest date, with a continuance, by which a final written decision on the proposal can be made.

Existing Conditions Table

| | | |
|---------------------------------|---|--|
| Zoning | General Commercial (GC) | |
| Current Development | Existing uses on site are commercial uses such as: retail, eating and drinking establishments, recreational facilities, and a fuel station. | |
| Site Size & Location | The site is located on the northwest corner of TV Highway and SW Murray Boulevard, and is approximately 13 acres in size. | |
| NAC | Central Beaverton NAC | |
| Surrounding Uses | Zoning: <u>North:</u> Office Industrial (OI) <u>South:</u> Residential-Urban Medium Density (R-2) <u>East:</u> GC and Station Community-Mixed Use (SC-MU) <u>West:</u> GC and OI | Uses: <u>North:</u> Medical Services <u>South:</u> Church and Private School <u>East:</u> Private School, Eating and Drinking Establishment, Vehicle Rentals <u>West:</u> Vehicle Sales and Service |

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Exhibits

Exhibit 1. Materials submitted by Staff

Exhibit 1.1 Vicinity Map (page SR-3 of this report)

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Exhibit 2.1 E-mail from Tonia Cottrell dated November 21, 2018 with staff's response dated November 28, 2018

Exhibit 3. Materials submitted by the Applicant

Exhibit 3.1 Submittal Package including plans

Exhibit 4. Agency Comments

Exhibit 4.1 Letter from Oregon Department of Transportation (ODOT) dated November 7, 2018

Exhibit 4.1 Letter from Washington County dated November 15, 2018

**FACILITIES REVIEW COMMITTEE DRAFT
TECHNICAL REVIEW AND RECOMMENDATIONS**

**West End Mixed Use Development
DR2018-0149 / LD2018-0034 / LD2018-0035 / LO2018-0006 / SDM2018-0010**

Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in different order.

The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings, below.

The Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the submitted applications as identified below:

- **All twelve (12) criteria are applicable to the submitted Design Review, and both Land Division applications as submitted.**

A. *All critical facilities and services related to the development have, or can be improved to have, adequate capacity to serve the proposal at the time of its completion.*

Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection. The Committee finds that the proposal includes, or can be improved to have, necessary on-site and off-site connections and improvements to public water, public sanitary sewer and storm water drainage facilities.

Public Water, Sanitary Sewer and Storm

The water service provider for the subject site is Tualatin Valley Water District with access to an existing line along SW Tualatin Valley Highway (TV Highway). Sanitary and sewer lines are available from existing lines along SW Murray Boulevard and the northern portion of the subject site. The City Engineer in review of the proposal has determined that by meeting the conditions of approval at the end of this report, this proposal does not impact the level of facilities and services available. The capacity of the existing systems is adequate to support the increase uses of these critical facilities.

Transportation

The proposal includes the development of three private streets identified by the applicant as Street A (north-south oriented) and Streets B and C (east-west oriented) to be designed to meet city standards for public streets. The applicant proposes access from Street A from TV Highway and access from Streets B and C from SW Murray

Boulevard. The applicant proposes a 12-foot dedication on TV Highway to provide a 72-foot right-of-way (ROW) from centerline, consistent with Oregon Department of Transportation's (ODOT) dedication requirement and the required public improvements (i.e. sidewalk, curb, ramps, and shoulder). ODOT has indicated to staff that due to the speeds on TV Highway there are safety concerns for buses and recommend that a bus pull out be provided adjacent to the development. ODOT, Tri-Met, Washington County and the City are collaborating with the developer on an appropriate design solution that takes into consideration impacts to the intersection of Murray and TV Highway as well as not requiring additional dedication by the applicant outside of the required 12 feet already provided with this proposal. To ensure the safety issues are addressed while providing some flexibility in the design, staff recommends a condition that a bus pull out be provided on TV Highway as shown in Exhibit K of the applicant's submittal package or as amended by the City Engineer.

Since SW Murray Boulevard is a county road, staff cite the findings from the County in the letter dated November 15, 2018 as applicable to improvements proposed for this roadway. For SW Murray Boulevard, the applicant shows a 51-foot ROW from centerline at the northeast corner of the subject property that tapers out to a 55-foot ROW towards TV Highway. The dedication proposed meet the requirement for Washington County. The County letter dated November 15, 2018 provides conditions to assure the design of SW Murray is compliant with County standards, including a condition requiring street trees and street grates.

For Street A, a private street, the applicant proposes a public easement approximately 99 feet wide containing two travel lanes with diagonal parking and a 20-foot pedestrian corridor on both sides of the street. The design compliments the mixed used buildings along this roadway. Street A will have right-in/right-out access onto TV Highway and is expected to access SW Murray from Streets B and C.

Street B is the most northern access point to the site from SW Murray Boulevard. For Street B, a private street, the applicant proposes a public easement approximately 51 feet wide containing two travel lanes with on-street parking and a planter strip on one side of the street and a 5-foot sidewalk on both sides of the street. The applicant requests a Sidewalk Design Modification to allow for a curb-tight sidewalk on the northern side of Street B. The request is to reduce street impacts to the Significant Natural Resource Area located north of the street. This request will be addressed in the approval criterion for the Street Design Modification. While Street B will provide full access onto SW Murray from an existing access point, the County will require certification that adequate site distance is provided.

Street C is the proposed southern access point onto SW Murray Boulevard. For Street C, also a private street, the applicant proposes to public easement approximately 57 feet wide with two travel lanes, on-street parking on one side, and 5-foot sidewalks, and a planter strip on both sides of the street. The applicant proposes a stop-controlled intersection for Street C and SW Murray Boulevard. Due the location of the site and the proposed traffic associated with this development, Washington County determined that access to the site should be limited to right-in/right-out only with a traffic separator on SW Murray and a "pork chop" on the site to prevent left turn movements. The County will also require certification that adequate site distance is provided for Street C.

The TIA provided by the applicant's traffic engineer compared the trip generation from the existing 123,467 square foot commercial to the proposed mixed use development and determined that the change in trip generation did not trigger a traffic impact analysis based on the requirement of the Beaverton Development Code. While the proposal does not increase trips to the site, the traffic analysis provided supplemental information pertaining to access and site frontage improvements to consider as part of this project. ODOT has requested that additional information be included in the TIA to address the phasing of the project and the impact to capacity at TV Highway and SW Murray Boulevard.

By complying with the associated conditions of approval, and by constructing the road improvements as proposed, the applicant will be able to ensure that the surrounding transportation system can accommodate the traffic expected to be generated by the proposed development.

Fire Protection

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). TVF&R has not provided conditions of approval related to this proposal; however TVF&R requirements will be verified at the time of Site Development Permit issuance.

Replat Lots

The project area is made up of three parcels. The applicant proposes two phases to replat lots that coincides with the phases of development on the site and ensures consolidated facilities to the development. Phase 1 will consolidate Lots 100 and 200 covering the majority of the development of the project area. Phase 2 will add Lot 300, the existing gas station, to the proposed development to complete the construction of the last building and the pedestrian plaza located at the corner of SW Murray and TV Highway.

The Committee finds that the proposed development will provide the required critical facilities, as conditioned. Therefore, the Committee finds the proposal meets the criterion for approval.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

- B. Essential facilities and services are available, or can be made available, with adequate capacity to serve the development prior to occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five years of occupancy.***

Chapter 90 of the Development Code defines “essential facilities” to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public ROW. The applicant’s plans and materials were forwarded to Beaverton School District, Tualatin Hills Park and Recreation District (THPRD), City

Transportation staff and City Police Department. The applicant states that essential facilities and services will be provided prior to occupancy and will include the following:

Schools

The applicant has submitted a service provider letter from Beaverton School District (BSD). The site will be served by Barnes Elementary School, Meadow Park Middle School, and Beaverton High School. The BSD service provider letter states that the district anticipates sufficient capacity to accommodate the new students with boundary adjustments or other capacity improvements.

Parks

The site is located within Tualatin Hills Park and Recreation District (THPRD), and is less than one mile from the Tualatin Hills Nature Park. The proposal also includes private active recreational areas that includes: clubhouse, swim center, pool, and wood chip trails within the landscape corridor.

Pedestrian and Bicycle Facilities

The applicant's plans shows existing bike lanes are located on SW Murray Boulevard and TV Highway. Streets A, B, and C do not show delineated bike lanes. These streets are design for vehicles to drive slower; therefore bikes and vehicles are expected to share the travel lanes. Ten-foot sidewalks are proposed along the frontage of the development on SW Murray and TV Highway. Twenty-foot sidewalks are proposed along both sides of Street A and 5-foot sidewalks along both sides of Street B and C. Two additional east-west oriented walkways are proposed to connect to SW Murray Boulevard, one between Streets B and C and the other between Street B and TV Highway. The construction of streets and sidewalks will be in accordance with the applicable City engineering standards.

Police

To the date of this report Beaverton Police have not provided comments or recommendations to the Facilities Review Committee. Beaverton Police will serve the development site and any comments will be forwarded to the applicant.

Transit Improvements

The project area is served by two Tri-Met lines Route # 57 along SW TV Highway and Route #62 along SW Murray Boulevard with stops for both lines located abutting the subject site. Both routes have peak headways of 15 minutes (#57) and 25 minutes (#62). The applicant states that the proposal will include improvements to the existing transit shelter on TV highway as shown on the proposed Planting Plan (See Sheet L1.3). ODOT has recommended the addition of a bus pullout on TV Highway as an approved amenity to the existing street. Staff cite the findings in Criterion A as applicable in addressing required transit improvements on TV Highway. ODOT has indicated the need for additional discussions with Tri-Met to address potential improvements on SW Murray Boulevard. At this time Tri-Met has not provided written comments to the city or County regarding needed transit improvements on SW Murray.

In summary of the above, the Committee finds that the proposed development will provide required essential facilities, as conditioned.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

- C. *The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject proposal.***

Staff cites the Code Conformance Analysis chart at the end of this report, which evaluates the project as it relates to the applicable Code requirements of Chapter 20 for the General Commercial zone as applicable to the above mentioned criteria. Staff has reviewed the compliance with Chapter 20 and as demonstrated in the chart at the end of this report, the development proposal meets all applicable standards of this zone.

Therefore, the Committee finds that the proposal meets the criterion.

- D. *The proposed development is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Requirements), are provided or can be provided in rough proportion to the identified impact(s) of the proposal.***

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates to the applicable Code requirements of Chapter 60, in response to the above mentioned criteria. Staff will address Section 60.05. (Design Guidelines) to the separate findings prepared for Design Review Three.

The applicant states the proposal complies with all applicable provisions of Chapter 60. However in reviewing the off-street parking design requirements in Section 60.30, the applicant's Site Plan does not adequately show how the parking stall depths are met. The applicant's narrative states that 30 compact parking spaces are proposed on the site. These spaces have not been clearly mark as required in Section 60.30.10.12 of the Development Code. Section 60.330.15 requires a minimum length 18.5 feet for standard parking spaces, allowing 3 feet to overhang the curb. The Dimension Site Plan shows parking space depths ranging between 16 and 18 feet. While in some areas the parking spaces overhang into landscape areas, in other areas the overhang effect walkway areas. Staff recommends a condition that prior to issuance of the Site Development Permit a revised Dimension Site Plan is provided showing the parking stalls within the development comply with Section 60.30.15 and that if parking spaces are to overhang the curb, they do not impact walkway areas. The Committee finds that the proposed development is consistent with the approval criterion, as conditioned.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

- E. Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities not subject to maintenance by the City or other public agency.**

The applicant states that a management company will have the responsibility of maintaining all private facilities on the site. Staff finds that the design of the development does not preclude the continued maintenance of private common facilities. Staff finds that adequate means can be provided to ensure continued and periodic maintenance.

Therefore, the Committee finds the proposal meets the criterion.

- F. There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.**

In review of Criterion F, staff incorporates the findings prepared in response to A, B and D above. The applicant states that the three new accessways (Streets A, B, and C) are designed for low speeds with on-street parking and wide sidewalks. Scored concrete will be used at crossings. Two additional walkways are provided to improve connectivity on the site. However the from the rear entrances of the building to the adjacent parking area, adequate pedestrian connection has not been provided. Staff recommends that walkways from the parking area to the entrance be added to ensure a safer connection. While these accessways will be private streets, each of the streets are designed in accordance with the City of Beaverton's Engineering Design Manual, except where modifications to those standards are approved through a Sidewalk Design Modification. As a condition of approval the applicant must receive Sidewalk Design Modification approval for any non-conforming aspects of the proposed sidewalks and planter areas as designed.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

- G. The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.**

In review of Criterion G, staff incorporates the findings prepared in response to A, B and D above, including conditions that restrict the access on TV Highway to right-in/right-out and limiting access from Street C onto SW Murray Boulevard.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

H. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.

The applicant states the proposed development will have adequate fire protection. Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). TVF&R have not provided conditions of approval related to this proposal, however some TVF&R requirements, will be verified at the time of Site Development Permit issuance. The proposal will also need to show compliance to the City's Building Code Standards prior to issuance of site development and building permits, which includes compliance with other TVF&R standards. Removing existing structures from the properties will require a Demolition Permit.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

I. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.

The applicant states the accessways were designed for low speeds with high visibility at all intersection on-site. Staff cite the findings in Criteria A, B, and D regarding the design of the accessways. The applicant will be required to provide street lights (pole-mounted luminaires) along all accessways and streets. By meeting ODOT, Washington County, and the City of Beaverton's design standards for street lights, the Committee finds that development site will provide adequate protection from hazardous conditions.

The Committee finds that review of the construction documents at the building and site development permit stages will ensure protection from hazardous conditions due to inadequate, substandard or ill-designed development. The proposed sidewalks and walkways will be adequately lighted to provide for safe pedestrian circulation.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

J. Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.

The applicant states erosion control measures will be used to prevent adverse consequences of the grading process to protect nearby properties, public ROW, surface drainage, water storage facilities and the public storm drainage system. The applicant must show compliance with Site Development erosion control measures at the time of Site Development permit issuance. While the site is currently developed, the preliminary grading plan shows some grading for the existing site. The grading proposed does not

appear to adequately tie into the existing grades along the western property line. Staff recommends a condition that a revised grading plan be provided prior to issuance of the Site Development Permit showing there will be no grading on site within 10 feet of the property line or half the height of the vertical embankment created, whichever is greater to ensure the proposal will not impact the surrounding area.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

- K. *Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.***

The applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code and other standards as required by the American Disabilities Act (ADA). Compliance with ADA requirements are reviewed with the Site Development and Building Permit applications. The applicant states that the proposal complies with all ADA standards and facilities pedestrian travel efficiently and that the proposal provides corner ramps at all intersections and uses ADA compliant slopes and clearances as well as 18 ADA parking spaces. However the Site Plans do not show curb ramps along SW Murray for the new intersections. Staff recommends a condition that prior to issuance of the Site Development Permit, the applicant shall provide revised plans showing these connections and that they will be ADA compliant. Staff finds that review of the proposed plans at Site Development and Building Permit stages are sufficient to guarantee compliance with accessibility standards.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

- L. *The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.***

The applicant submitted the land use applications on October 17, 2018 and requested in a letter dated the same day that the application be deemed completed upon submittal. In review of the materials during the application review process, the Committee finds that all applicable application submittal requirements, as identified in Section 50.25.1 are contained within this proposal.

Therefore, the Committee finds the proposal meets the criterion.

**Code Conformance Analysis
General Commercial District
Chapter 20 Use and Site Development Requirements**

| CODE STANDARD | CODE REQUIREMENT | PROJECT PROPOSAL | MEETS CODE? |
|---|---|--|--------------------|
| Development Code Section 20.05.20 (Uses) | | | |
| Permitted Uses | Attached Dwellings Eating Drinking Establishment Retail Trade | The applicant's proposal for a mixed use development consisting of attached dwellings and ground floor commercial development is consistent with the uses permitted in the GC zoning district. | Yes |
| Development Code Section 20.10.15 (Site Development Standards) | | | |
| Minimum Parcel/ Land Area | Non-Residential: 7,000 sq. ft. Residential: 1,000 sq. ft./unit (attached) | The project area is approximately 13 acres in size, the minimum land size required for non-residential uses are met. Based on the land area requirements for residential uses, the maximum number of residential dwellings allowed for the site is 566 units. The applicant's proposal for 424 units meets this requirement. | Yes |
| Yard Setbacks | <u>Front (south and east):</u> 20 feet – maximum (Parcels that exceed 60,000 square feet are governed by the standards in Section 60.05.15.6) <u>Side (north):</u> 10 feet – minimum <u>Rear (west):</u> None (does not abut residential) | The proposal identifies the setbacks along SW Murray Boulevard (east) and TV Highway are less than 20 feet, consistent with the standards identified in Section 60.05.15.6. There is no rear yard setback since the site is not abutting a residential zoning district. The side yard, located along the northern property is met with a minimum distance of 100 feet from the closest building. | Yes |
| Maximum Building Height | 60 feet | The applicant states the maximum height of all the buildings is less than 60 feet. The elevation plans shows the proposed buildings range in height between 45 and 54 feet. | Yes |

Chapter 60 Special Requirements

| CODE STANDARD | CODE REQUIREMENT | PROJECT PROPOSAL | MEETS CODE? |
|---|--|--|---------------------------------|
| Development Code Section 60.05-Design Standards | | | |
| Design Review Principles, Standards, and Guidelines | Requirements for new development and redevelopment. | Design Review guidelines will be reviewed in the Design Review portion of the staff report. | See Findings for DR2018-0149 |
| Development Code Section 60.10 – Floodplain Regulations | | | |
| Floodplain Regulation | Standards pertaining to development within the floodplain. | The applicant states the floodplain is within the natural resource area located at the northern portion of the property in the area not proposed for development. | N/A |
| Development Code Section 60.15 – Land Division Standards | | | |
| Land Division Standards | Standards pertaining to Land Divisions | Two Land Division-applications have been applied for. LD2018-0034 proposes to consolidate Lots 100 and 200 as part of Phase 1 of this project. LD2018-0035 is to consolidate Lot 300 with the above two lots as part of Phase 2 of this development. | See LD Findings |
| Development Code Section 60.25 – Off-Street Loading | | | |
| Required Loading Spaces | <u>Retail (sq. ft. ~aggregate)</u> 24,001 to 50,000= 2 (B-Berths). | The applicant proposes an aggregate total of 31,000 square feet of commercial area in this development. However, the commercial areas are distributed among eight buildings that are less than 5,000 square feet in size. The applicant has requested that loading areas be provided within the development, but would not meet the city's loading berth design requirements. The applicant has submitted a Loading Determination application. | Yes, if LO2018-0006 is approved |
| Development Code Section 60.30– Off-Street Parking | | | |
| Required off-street motor vehicle parking (Zone A) | <u>Attached Single Family (1 bedroom)</u> Min: 1.25 space per unit Max: 1.8 space per unit <u>Attached Single Family (2 bedrooms)</u> Min: 1.5 space per | The applicant states there are a total of 424 residential units in 12 buildings. Four of the 12 buildings are residential-only containing 34 two-bedroom units each. The other eight buildings are a mix of residential and commercial uses containing 15 one-bedroom units, 21 two-bedroom units, and approximately 4,100 square feet of commercial space for each building. The following is the minimum and maximum number of parking spaces allowed: | Yes |

| | | | |
|---------------------------|---|---|---------------|
| | <p>unit Max: 2.0 space per unit</p> <p><u>Commercial/Retail</u> Min: 3.0 spaces per 1,000 sq. ft. Max: 5.1 spaces per 1,000 sq. ft.</p> | <p><u>Residential (1 bedroom)</u> Min: 150 spaces Max: 216 spaces</p> <p><u>Residential (2 bedrooms)</u> Min: 456 spaces Max: 608 spaces</p> <p><u>Commercial/Retail</u> Min: 99 spaces Max: 168 spaces</p> <p>The total minimum number of parking spaces required for the development is 705 spaces and the maximum is 992 spaces. The applicant is proposing 819 spaces, with 661 spaces designated for residential and 158 parking spaces designated for commercial.</p> | |
| Required Bicycle Parking | <p><u>Multi-dwelling structure (4 or more units)</u> Short: 1 space per 20 unit Long: 1 space per 1 unit</p> <p><u>Commercial/Retail</u> Short: 2 spaces Long: 2 spaces</p> | <p>Based on the requirements in Section 60.30.10 the following number of bike parking spaces are required for the development totaling 480 bike spaces:</p> <p><u>Multi-dwelling structure</u> Short: 24 (2 per building) Long: 424 (1 per unit)</p> <p><u>Commercial/Retail</u> Short: 8 spaces (2 per building) Long: 8 spaces (2 per building)</p> <p>The applicant states that 484 spaces are provided, with the proposal. The applicant's landscape plan shows four short-term bike parking spaces at the entrance of each building, meeting the requirements for short-term bike parking for the development. In the four residential-only buildings, long-term bike parking is provided in two bike storage areas providing 20 spaces and 15 additional in the garages in each building. For the eight mixed use buildings one bike storage area is proposed containing 28 spaces with 15 additional spaces provided in the garages for each building. Staff finds that both long and short-term bike parking spaces haven provided with this development.</p> | Yes |
| Off Street Parking Design | | Findings for off-street parking design are found in Criterion D of this report. | Yes- with COA |

| Development Code Section 60.55 - Transportation | | | |
|---|--|---|----------------------|
| Transportation Facilities | Regulations pertaining to the construction or reconstruction of transportation facilities. | Refer to Facilities Review Committee findings herein. | Yes- with COA |
| Development Code Section 60.60-Trees & Vegetation | | | |
| Trees & Vegetation | Regulations pertaining to the removal and preservation of trees. | The applicant proposes to remove approximately 59 landscape trees on the subject site totaling approximately 950 linear dbh removed, and states a total of 970 trees to be planted on the site meeting the mitigation requirements for removal of landscape trees. However, the applicant's landscape plan (Sheet L.1.5) identifies only 466 trees at 2-inch caliper totaling 932 linear dbh on the site. Prior to issuance of the Site Development permit, the applicant shall include are revised plan showing a minimum of 18 linear dbh added to the site for a total of 950 linear dbh of mitigation provided on the site. | Yes-with COA |
| Development Code Section 60.65-Utility Undergrounding | | | |
| Utility Undergrounding | | The applicant states that pre-existing and on-site lines will be placed underground. To ensure the proposal meets requirements of this section, staff recommends a condition requiring undergrounding completion prior to occupancy. | Yes- with COA |
| Development Code Section 60.67-Significant Natural Resources | | | |
| Significant Natural Resources | Regulations pertaining to Significant Natural Resources | The applicant states there is a significant riparian corridor located in the northern portion of the site, but no impacts to this sensitive area are expected with this development. The CWS Service Provider letter (see applicant Exhibit F) indicate no impact is expected to wetland or waters, but identified conditions to prevent impacts to the sensitive areas. | Yes- with COA |

**DR2018-149
ANALYSIS AND FINDINGS FOR
DESIGN REVIEW THREE APPROVAL**

Section 40.03.1 Facilities Review Approval Criteria:

The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B and all the following criteria have been met:

Facilities Review Approval Criteria Section 40.03.1.A-L

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, the proposal meets Criteria A-L, and therefore meets the criterion for approval.

Therefore, the Committee finds that the proposal meets the criteria.

Planning Commission Standards for Approval:

Section 40.20.15.3.C of the Development Code provides standards to govern the decisions of the Commission as they evaluate and render decisions on Design Review Applications. The Commission will determine whether the application as presented, meets the Design Review Three approval criteria. The Commission may choose to adopt, not adopt or modify the Committee's findings. In this portion of the report, staff evaluates the application in accordance with the criteria for Type 3 Design Review.

Section 40.20.15.3.C Approval Criteria: In order to approve a Design Review Three application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The proposal satisfies the threshold requirements for a Design Review Three application.*

The applicant proposes to construct 424 residential units and approximately 31,000 square feet of commercial area with associated roadway improvements, landscaping, and recreational amenities. The applicant states the proposal meets Criterion No. 8 since it cannot meet all the applicable design review standards in Section 60.05 of the Development Code.

8. A project meeting the Design Review Two thresholds which does not meet an applicable design standard.

Therefore, staff find that the criterion is met.

2. ***All City application fees related to the application under consideration by the decision making authority have been submitted.***

The applicant paid the required fees for a Design Review Three application.

Therefore, staff find that the criterion is met.

3. ***For proposals meeting Design Review Three application thresholds numbers 1 through 6, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).***

The proposal meets threshold number 8, therefore this criterion, which pertains to other thresholds, does not apply.

Therefore, staff find the criterion is not applicable.

4. ***For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance of specific Design Guidelines if any of the following conditions exist:***

- a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or***
- b. The location of existing structural improvements prevent the full implementation of the applicable guideline; or***
- c. The location of the existing structure to be modified is more than 300 feet from a public street.***

The project proposal is a new development. Therefore, this criterion, which pertains to additions or modification of existing development, does not apply.

Therefore, staff find the criterion is not applicable.

5. ***For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in this Code or greater, can be realistically achieved at ultimate build out of the DRBCP.***

The applicant does not propose a DRBCP.

Therefore, staff find the criterion is not applicable.

6. ***For proposals meeting Design Review Three application Threshold numbers 7 or 8, where the applicant has decided to address a combination of standards and guidelines, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is instead subject to the applicable corresponding Design Guideline(s). [ORD 4531; March 2010]***
7. ***For proposals meeting Design Review Three application Threshold numbers 7 or 8, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is applying to instead meet the applicable Design Guideline(s).***

The applicant states the proposal meets application threshold number 8 and, accordingly, has addressed both the Design Standards and applicable Design Guidelines. Staff sites the Design Standards Table and Design Guidelines Analysis below identifying how the proposed development, is as condition, can meet the applicable Design Standards or corresponding Design Guidelines.

Therefore, staff find that by meeting the conditions of approval, the criteria are met.

8. ***Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted all documents related to this request for Design Review Three approval. Two Land Division (Replats), one Loading Determination, and one Sidewalk Design Modification applications are being processed concurrently with the subject request for Design Review Three approval. No additional applications or documents are needed at this time.

Therefore, staff find the criterion is met.

Section 60.05 Design Review Standards Analysis DR2018-0149 West End District Mixed Use Development

Design Review Standards Analysis and Findings Chart Section 60.05.15 Building Design & Orientation Standards

| DESIGN STANDARD | | PROJECT PROPOSAL | MEETS STANDARD? |
|---|--|---|-----------------|
| 60.05.15.1 Building Articulation and Variety | | | |
| 60.05.15.1A | Attached residential buildings in residential zones shall be limited in length to two hundred (200) feet. | Subject site is not in a residential zone. | N/A |
| 60.05.15.1B | Buildings visible from and within 200 feet of an adjacent public street shall have a minimum portion of the elevation devoted to permanent architectural features designed to provide articulation and variety... | Buildings along SW Murray (Nos 1-4) and TV Highway (Nos. 8 and 12) are applicable to this standards. The applicant states these buildings will be designed to include recessed entries, changes to the materials, and window enhancements to provide varying design. The applicant has identified nine variations to the building, each providing slightly different designs, exterior finishes and rooflines. Table 1 and elevation plans provided by the applicant show how this standard is met. | Yes |
| 60.05.15.1C | The maximum spacing between permanent architectural features shall be no more than: 1. Forty (40) feet in residential zones, and all uses in multiple-use, and commercial zones... | The applicant states that, the spacing between permanent architectural features will be less than the maximum 40-foot maximum spacing standards – as shown. | Yes |
| 60.05.15.2 Roof Forms as Unifying Elements | | | |
| 60.05.15.2A | All sloped roofs exposed to view from adjacent public or private streets and properties shall have a minimum 4/12 pitch. | The applicant states that all sloped roofs have a minimum 4/12 pitch. | Yes |
| 60.05.15.2B | Sloped roofs on residential uses in residential zones, and all uses in multiple-use and commercial zones, shall have eaves, exclusive of rain gutters, that must project from the building wall at least twelve (12) inches. | The applicant states buildings with sloped roofs will have eaves that project at least 12 inches from the building. | Yes |

| DESIGN STANDARD | | PROJECT PROPOSAL | MEETS STANDARD? |
|---|---|---|-----------------|
| 60.05.15.2C | All flat roofs with a slope of less than 4/12 pitch shall be architecturally treated or articulated with a parapet wall that must project vertically above the roof line at least twelve (12) inches. | The applicant states that all roofs with a slope of less than 4/12 pitch will have a parapet wall. | Yes |
| 60.05.15.2D | When an addition to an existing structure or a new structure is proposed in an existing development, the roof forms for the new structures shall have similar slope and be constructed of the same materials as existing roofs. | The proposal is for a new development not an addition to an existing development. | N/A |
| 60.05.15.3 Primary Building Entrances | | | |
| 60.05.15.3 | Primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, shall be covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided. The covered area providing weather protection shall be at least six (6) feet wide and four (4) feet deep. | The applicant states each building will be provided a recessed entry as identified in the applicant's Design Standard Matrix (Table 1) and proposed Elevation Plans (Exhibit D). | Yes |
| 60.05.15.4 Exterior Building Materials | | | |
| 60.05.15.4A | For attached Residential uses.... minimum of seventy-five (75) percent of each elevation that is visible from and within 200 feet... | Subject site is not in a residential zone. | N/A |
| 60.05.15.4B | For conditional uses in residential zones and all uses in multiple-use and commercial zones (except residential uses fronting common greens and shared courts), a maximum of thirty (30) percent of each elevation that is visible from and within 200 feet of a public street or a public park, public plaza... | The applicant's proposal includes residential only buildings and buildings with a combination of residential and commercial uses. The exterior of the buildings are architecturally treated and are proposed to be a combination of brick, concrete and hardi-panels. | Yes |

| DESIGN STANDARD | | PROJECT PROPOSAL | MEETS STANDARD? |
|--|--|--|---|
| 60.05.15.4C | For conditional uses in residential zones and all uses in multiple use and commercial districts, plain, smooth, exposed concrete... | The applicant states the West End District elevations will not have exposed concrete or concrete block more than three feet above ground. | Yes |
| 60.05.15.5 Roof-Mounted Equipment | | | |
| 60.05.15.5 | A. All roof-mounted equipment shall be screened from view from adjacent streets or adjacent properties... B. The vertical measuring distance for required screening shall be measured at five (5) feet above the finished... | Applicant states parapets will screen the rooftops equipment for all elevation designs except Design D, which will utilize raised roofs to screen the equipment, as shown in the cross-section provided by the applicant in Exhibit J. | Yes |
| 60.05.15.6 Building location and orientation along streets in Commercial and Multiple Use zones | | | |
| 60.05.15.6A | Buildings in Multiple Use zones shall... | The subject site is not located in a multiple use zone. | N/A |
| 60.05.15.6B | Buildings in Commercial zones shall occupy a minimum of 35 percent public street frontage where a parcel exceeds 60,000 gross square feet. | Since the subject parcels exceeds 60,000 square feet in the GS zone, a minimum of 35 percent of the frontages of SW Murray and TV Highway are to be occupied by the proposed buildings. The applicant states the orientation of the buildings along SW Murray exceed the minimum requirement and are met along TV Highway as shown on the Dimensioned Site Plan (Exhibit C). | Yes |
| 60.05.15.6C | Buildings subject to the street frontage standard shall be located no further than 20 feet from the property line. The area between the building and property line shall be landscaped to standards found in Section 60.05.25.3.B... | The applicant's plans show all the building oriented to SW Murray and TV Highway are within 20 feet of the property line, except Building No. 4 that fronts both TV Highway. While the building meets the 20-foot maximum setback for SW Murray, it exceeds the setback for TV Highway. Additional findings are provided with the corresponding design guideline. | See corresponding Design Guideline finding. |
| 60.05.15.6D | Buildings on corner lots of multiple Major Pedestrian Routes shall be located at the intersections of the Major Pedestrian Routes... | The subject property is located on only one Major Pedestrian Route, therefore this standard does not apply. | N/A |

| DESIGN STANDARD | | PROJECT PROPOSAL | MEETS STANDARD? |
|--|---|---|---|
| 60.05.15.6E | Buildings subject to the street frontage standard shall have at least one primary building entrance oriented toward an abutting street or public pedestrian way. Where there is more than one abutting Class 1 Major Pedestrian Route, the primary entrance shall have a reasonably direct pedestrian connection ... | The applicant states and shown on their Site Plans the primary entrances of the buildings located along SW Murray are less than 20 feet from the roadway. However the primary entrances of the buildings along TV Highway do not meet this standard. The applicant has provided additional findings with the corresponding design guideline. | See corresponding Design Guideline |
| 60.05.15.6F | Secondary entrances may face on streets, off-street parking areas, or landscaped courtyards. | The applicant states and has shown on their Elevation Plans (Exhibit D), the proposed buildings will have secondary entrances that face accessway and off-street parking areas. | Yes |
| 60.05.15.7 Building scale along Major Pedestrian Routes | | | |
| 60.05.15.7A | The height of any portion of a building at or within 20 feet of the property line ... abutting a Major Pedestrian Route shall be a minimum of twenty- two (22) feet and a maximum of sixty (60) feet. | The applicant states the height of the building ranges between 47 to 54-feet. | Yes |
| 60.05.15.7 | B. ...Building heights shall meet the requirements of Section 20.20.20 for the specific zoning district. C. The maximum heights specified in Section 20.20.50 shall not be exceeded... | The applicant states that the building is less than maximum height as allowed in the GC zoning district. Further the site is not with a mixed use district. | N/A |
| 60.05.15.8 Ground floor elevations on commercial and multiple use buildings | | | |
| 60.05.15.8A | Except those used exclusively for residential use, ground floor elevations visible from and within 200 feet of a public street, Major Pedestrian Route... shall have the following minimum percent of the ground floor elevation area permanently treated with windows, display areas or glass doorway openings. 2. Class 2 Major Pedestrian Routes: Thirty-five (35)% | The buildings located along SW Murray Boulevard are residential only, therefore this standard does not apply for those buildings. However the buildings along TV Highway are mixed use buildings. The southern elevation of these buildings (adjacent to TV Highway), exceed the 35 percent requirement for permanently treated windows, display areas or glass doorway openings. | Yes |

| DESIGN STANDARD | | PROJECT PROPOSAL | MEETS STANDARD? |
|-----------------|---|---|-----------------|
| | 3. Buildings on parcels in excess of 25,000 gross sq.ft within a Commercial zoning district: Thirty-five (35)% | | |
| 60.05.15.8B | <p>Except those used exclusively for residential use, ground floor elevations ...shall provide weather protection to the following minimum percent of the length of those elevations.</p> <p>1. Class 1 Major Pedestrian Routes: Fifty (50) percent.</p> <p>2. Class 2 Major Pedestrian Routes: Thirty-five (35) percent. ...</p> | The buildings located along SW Murray Boulevard are residential only, therefore this standard does not apply for those buildings. For buildings located along TV Highway a minimum percentage of weather protection is not required since it is not located along a major pedestrian route. | N/A |

Design Review Standards Analysis and Findings Chart
Section 60.05.20 Circulation and Parking Lot Design Standards

| DESIGN STANDARD | | PROJECT PROPOSAL | MEETS STANDARD? |
|--|--|---|------------------------|
| 60.05.20.1 Connections to public street system | | | |
| 60.05.20.1 | Pedestrian, bicycle, and motor vehicle connections shall be provided between the on-site circulation systems and adjacent existing and planned streets... | The applicant states that they are proposing to create connections to SW Murray Boulevard and TV Highway and are compliant with this standard. Staff cite the findings in Facilities Review Criterion A, B, D, F and G as to how the development has been designed to provide for safe and efficient movement of all modes of transportation. | Yes |
| 60.05.20.2 Loading Areas, solid waste facilities and similar improvements | | | |
| 60.05.20.2.A | All on-site service areas, outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be located in an area not visible from a public street, or shall be fully screened from ... | The applicant states trash receptacles are to be located in the off-street parking area within trash enclosures. The off-street loading areas are proposed to be located in the off-street parking area and along the parking areas on Street C, a private streets well over 300 feet from SW Murray. | Yes |
| 60.05.20.2.B | Except for manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts, all loading docks and loading zones shall be located in an area not visible from a public street... | The applicant's proposal includes a Loading Determination Request to not provide full loading berths, but instead loading areas located within the off-street parking area of the development not visible from the public street. An additional loading area is proposed in the off-street parking area along Street C, a private drive over 300 feet from SW Murray limiting its visibility. | Yes |
| 60.05.20.2.C | Screening from public view for service areas, loading docks, loading zones and outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be fully sight-obscuring... | The applicant states, and has shown in Exhibit C, trash/ recycling areas are located in the off-street parking area, with covered-enclosures provided for the trash/recycling areas designed with a solid screen with materials consistent with the exterior finishes found in the development. | Yes |
| 60.05.20.2.D | Screening from public view by chain-link fence with or without slats is prohibited. | The applicant states the proposal does not include chain-link fencing. | N/A |

| DESIGN STANDARD | | PROJECT PROPOSAL | MEETS STANDARD? |
|--|---|--|-----------------|
| 60.05.20.2.E | Screening of loading zones may be waived in commercial and multiple-use districts if the applicant demonstrates the type and size of loading vehicles will not detract from the project's aesthetic appearance and the timing of loading will not conflict with the hours or operations of the expected businesses. | The applicant states that the standard is not applicable, however the proposal includes the addition of a loading areas along Street C, not a public street. The designated loading areas are located over 300-feet from SW Murray and also functions as parking for the commercial and residential area. Screening of these loading areas would detract from the high visibility design of the private streets that are encouraging pedestrian activity. | Yes |
| 60.05.20.3 Pedestrian Circulation | | | |
| 60.05.20.3.A | Pedestrian connections shall be provided that link to adjacent existing and planned pedestrian facilities... | The applicant states the proposed accessways connecting to SW Murray and TV Highway are oriented in a grid pattern allowing direct access to the public street system. Pedestrian connection is provided on both sides of each new accessways as well as two additional east-west pedestrian walkways connecting to SW Murray. | Yes |
| 60.05.20.3.B | A reasonably direct walkway connection is required between primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, and public and private streets, transit stops, and other pedestrian destinations. | The development provides a system of pedestrian walkways that connect the buildings to one another as well as the public streets. Main entrances to Buildings No. 1-4 provide direct connections to SW Murray while Buildings Nos. 5-12 have access to Street A which connects directly to TV Highway, and to SW Murray Boulevard from Streets B and C. Each building also has entrances that face the off-street parking area. For Buildings Nos. 9-12 pedestrians using this entrance do not have direct access to TV Highway westbound. Staff recommends a condition requiring the north-south walkway closest to western property line is extended to connect to TV Highway to ensure direct access is provided. | Yes- with COA |

| DESIGN STANDARD | | PROJECT PROPOSAL | MEETS STANDARD? |
|--|---|---|--|
| 60.05.20.3.C | A reasonably direct pedestrian walkway into a site shall be provided for every 300 feet of street frontage... | The applicant states and has shown walkways that are less than 300-feet from one another. The Site Plan (Exhibit C) shows how walkways are to connect the building entrance through the parking lot to the public sidewalks. | |
| 60.05.20.3.D | Pedestrian connections through parking lots shall be physically separated from adjacent vehicle parking and parallel vehicle traffic through the use of curbs, landscaping, trees, and lighting, if not otherwise provided in the parking lot design. | The applicant states pedestrian paths are designed through the parking lot area with curbs separating pedestrians and vehicles. | Yes |
| 60.05.20.3.E | Where pedestrian connections cross driveways or vehicular access aisles a continuous walkway shall be provided, and shall be composed of a different paving material... | The applicant states that different paving materials will be used for crossing areas and continuous walkways. | Yes |
| 60.05.20.3.F | Pedestrian walkways shall have a minimum of five (5) foot wide unobstructed clearance and shall be paved with scored concrete... | The applicant states that all pedestrian walkways are between five to 20 feet in width, consisting scored concrete to meet ADA standards. | Yes |
| 60.05.20.4 Street Frontages and Parking Areas | | | |
| 60.05.20.4 | <p>Surface parking areas abutting a public street shall provide perimeter parking lot landscaping which meets one of the following standards...</p> <p>6-foot wide planting strip between the right-of-way and the parking area. ... Trees... minimum 2.5 inches in caliper at a maximum spacing distance of 30 feet on center. ...</p> | The proposal includes surface parking abutting TV Highway. The applicant states the areas is buffered by an 8-foot see-through fence and 10-foot landscape area containing 2.5-inch caliper trees spaced 30 feet on center and a laurel hedge that appears to be 5-feet on center. The applicant states the proposed see through fencing does not meet this standard. The applicant has provided additional findings in the corresponding Design Guideline. | See corresponding Design Guideline finding. |

| DESIGN STANDARD | | PROJECT PROPOSAL | MEETS STANDARD? |
|--|---|--|---|
| 60.05.20.5.A/B/C/D | Landscaped planter islands shall be required according to the following... all commercial and multiple use zones, one for every ten (10) contiguous parking spaces... | The applicant states that landscape planter islands are provided at a minimum of one per every ten parking spaces and will be curbed with a minimum area of 70 square feet and minimum width of 6-feet. Trees are proposed for each landscape area. | Yes |
| 60.05.20.6 | Off-street parking frontages in Multiple Use zones | The subject site is zoned GC. | N/A |
| 60.05.20.7.A | <p>A sidewalk is required on all streets. ...</p> <p>The sidewalk shall be a minimum of 10 (ten) feet wide, and provide an unobstructed path of at least five feet. ...</p> <p>Sidewalk Design Modification is necessary for less the standard.</p> | The applicant states SW Murray and TV Highway are not being reviewed, however the dedication and improvements are proposed with both ROW showing 10-foot wide sidewalks. The proposal also includes three private streets designed to public standards. The applicant has requested a Sidewalk Design Modification concurrently to construct a 5-foot curb-tight sidewalk on the north side of Street B to minimize impacts to the SNRA. | Yes if Sidewalk Design Modification is approved. |
| 60.05.20.7.B | A sidewalk or walkway internal to the site is required along building elevations that include a primary building entrance, multiple tenant entrances or display windows. The sidewalk shall be a minimum of ten (10) feet wide... | Applicant states all primary entrances are oriented towards Street A or SW Murray connecting the sidewalks that range between 10 to 20 feet. | Yes |
| 60.05.20.8 Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts | | | |
| 60.05.20.8.A/B | Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts. | The applicant identifies the exemption to the private street standard. However, the applicant describes Streets A, B, and C as private streets that are designed to public street standards to include raised curbs and minimum 5-foot walkways. | Yes |

Design Review Standards Analysis and Findings Chart
60.05.25 Landscape, Open Space, and Natural Areas Design Standards

| DESIGN STANDARD | | PROJECT PROPOSAL | MEETS STANDARD? |
|---|--|---|---|
| 60.05.25 Minimum landscape requirements for non-residential developments and Mixed Use Development | | | |
| 60.05.25.5A | A minimum of 15% of the gross site area shall be landscaped... (Commercial zones) | The applicant states the proposal will provide 11 percent landscape area for the site. Additional findings are provided with the corresponding Design Guideline. | See corresponding Design Guideline |
| 60.05.25.5.B | Minimum planting requirements include ... 1 tree / 800 sq. ft. Live ground cover required... | The applicant's landscape plan that identifies the type of tree and how the plan is designed to meet the city standard. A total of 477 trees at a minimum of 2-inch caliper and over 3,000 shrubs are proposed for the site, which well exceeds the requirements of one tree per 800 sq. ft. and one shrub per 400 sq. ft. of landscape area. The proposal include lawn and groundcover and does not propose bare gravel or bark. | Yes |
| 60.05.25.5.C | A hard surface pedestrian plaza or combined hard surface and soft surface pedestrian plaza, if proposed shall be counted towards meeting the minimum landscaping requirement... (limited to 25% of the minimum required landscape) | The applicant states that the hard surface pedestrian plaza provided complies with this standard. | Yes |
| 60.05.25.8 Retaining walls | | | |
| 60.05.25.8.A | Retaining walls greater than 6 feet in height or longer than 50 lineal feet... Materials used... | The applicant states that there are no retaining walls proposed with this development. | N/A |
| 60.05.25.9 Fences and walls | | | |
| 60.05.25.9.A | Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, stone, rock, or brick or other durable materials. | The applicant states the proposal includes steel fencing surrounding the pool and fencing along TV Highway that is made up of steel tubing and stone. The applicant also proposes and 6-foot wood fence along the western property line. | Yes |

| DESIGN STANDARD | | PROJECT PROPOSAL | MEETS STANDARD? |
|--|---|---|-------------------------------------|
| 60.05.25.9.B | Chain link fences are acceptable as long as the fence is coated and includes slats... | The applicant states chain link fencing is not proposed with this development. | N/A |
| 60.05.25.9.C | Masonry walls shall be a minimum of six inches thick. All other walls shall be a minimum of three inches thick. | Applicant states masonry walls are to be concrete with brick façade at a minimum width of 6-inches. | Yes |
| 60.05.25.9.E | Fence and wall height limitations in front yard. | The applicant states fencing is being proposed in the front yard along TV Highway. However the property line along TV Highway and exceeds three feet. Additional findings are made available in the Design Guidelines. | See corresponding Design Guideline. |
| 60.05.25.11 Integrate water quality, quantity, or both facilities | | | |
| 60.05.25.11.A | Non-vaulted surface stormwater detention and treatment facilities having a side slope greater than 2:1 shall not be located between a street and the front of an adjacent building. | The applicant states no stormwater facility have slopes greater than 2:1 and are not located between a street and the front of an adjacent building. | Yes |
| 60.05.25.12 Natural areas | | | |
| 60.05.25.12 | Development on sites with City-adopted natural resource features such as streams, wetlands, significant trees and significant tree groves, shall preserve and maintain the resource... | The site contains Significant Natural Resource Areas along the northern property line. The applicant states the development is not proposed to encroach the resource area. | Yes |
| 60.05.25.13 Landscape buffering and screening | | | |
| 60.05.25.13 | All new development and redevelopment in the City subject to Design Review shall comply with the landscape buffering requirements of Table 60.05-2... side and rear of properties between different zoning districts. | The subject parcel is zoned GC with OI abutting the subject site to the northern and eastern property line, requiring a 10-foot buffer with landscaping that meet the B3 standards. While the SNRA provides a natural landscape buffer that exceeds 10-feet, buffer standards are not required. Since a buffer width cannot exceed a minimum yard setback, the zero rear setback for this site means a landscape buffer is not required. The western property line is the rear yard of the development and has a zero yard setback. | Yes |

Design Review Standards Analysis and Findings Chart
Section 60.05.30 Lighting Design Standards

| DESIGN STANDARD | | PROJECT PROPOSAL | MEETS STANDARD? |
|------------------------|---|---|--|
| 60.05.30.1.A/B/C/D/E | Adequate on-site lighting and minimal glare on adjoining properties. | The applicant states the proposed lighting is designed to meet City standards for lighting. The applicant's photometric plan shows that there will be adequate lighting on-site. Staff recommends a condition for requiring the shielding of the light source to prevent lighting from spilling into the SNRA to minimize impacts to the wetland habitat. | Yes with conditions of approval |
| 60.05.30.2.A | Pole-mounted Luminaires shall comply with the City's Technical Lighting Standards, and shall not exceed a maximum of... 30 feet in non-residential zones. | The applicant states the proposal includes light poles that are 16 feet in height on black poles located in the parking area or on the exterior of the building. | Yes |
| 60.05.30.2.B | Non-pole-mounted luminaires shall comply with the City's Technical Lighting Standards. | The applicant provided manufactures specification showing the building mounted fixtures. The applicant's photometric chart is included in the plans to show conformance with applicable standards. Staff recommends a condition requiring screening of the light source minimizing glare to the public streets and accessways. | Yes / Condition of Approval |

DESIGN REVIEW GUIDELINES ANALYSIS

In the following analysis, staff have only identified the Design Guidelines which are applicable to the subject development proposal as it relates to the design standards not being met. Non-relevant Guidelines have been omitted.

60.05.35 *Building Design and Orientation Guidelines.* *Unless otherwise noted, all guidelines apply in all zoning districts.*

6. Building location and orientation in Commercial and Multiple Use zones.

C. On Class 1 Major Pedestrian Routes, building entrances should be oriented to streets, or have reasonably direct pedestrian connections to streets and pedestrian and transit facilities. (Standards 60.05.15.6.C and D)

The applicant states that Building No. 4 is unable to meet the maximum 20-foot setback from TV Highway due to the pedestrian plaza being placed at the corner of SW Murray and TV Highway, to provide active open space and enhancements to the transit shelter on TV Highway. The plaza contains wide walkways, landscaping and a bench. Direct access to this pedestrian plaza is provided to Building No 4 and to the other buildings from the pedestrian system within the development and the 10-foot wide sidewalks provided on both SW Murray and TV Highway. The setback for Building No. 4 to SW Murray will be less than 20-feet and will also have direct access to this roadway.

Therefore, staff find the Guideline is met.

D. Primary building entrances should be oriented toward and located in close proximity to public streets and public street intersections. Property size, shape and topographical conditions should also be considered. (Standard 60.05.15.6.E)

The applicant states Building No. 8 and 12 do not have primary entrances to TV Highway, because the design of the development is to draw pedestrians to the active areas internal to the development instead of TV Highway. The Street A is designed to draw people to the 20-foot wide walkways along this accessway. Key entrances to Buildings 8 and 12, along with six other buildings, are oriented to Street A with its wide walkways, angled parking and the ground floor commercial uses encouraging pedestrian activity within the development. Entrances are provided to Buildings Nos. 8 and 12 along the southern elevation with walkways that connect to TV Highway.

Therefore, staff find the Guideline is met.

60.05.40. *Circulation and Parking Design Guidelines.* *Unless otherwise noted, all guidelines apply in all zoning districts.*

4. *Street frontages and parking areas.* *Landscape or other screening should be provided when surface parking areas are located along public streets. (Standard 60.05.20.4)*

The applicant states that the proposal provides a B1-10-foot buffer between the TV highway and the parking area with vegetation and fencing that is see through. To create adequate screening within two years, staff recommends a condition that the Landscape Plan is revised to show the laurel hedge in this buffer area placed a minimum of 3-feet on center. By meeting this condition, the landscaping will provide the screening needed to ensure glare from cars in the parking area do not impact the public street.

Therefore, staff find by meeting the conditions of approval, the Guideline is met.

60.05.45. Landscape, Open Space and Natural Areas Design Guidelines. *Unless otherwise noted, all guidelines apply in all zoning districts.*

3. Minimum landscaping for conditional uses in Residential districts and for developments in Multiple Use, Commercial, and Industrial Districts.

A. Landscaping should soften the edges of buildings and parking areas, add aesthetic interest and generally increase the attractiveness of a development and its surroundings. (Standard 60.05.25.3.A, B, and D)

The proposal provides 11 percent landscaping with a combination of passive and active open spaces. The proposal includes a club house, public plaza, public trails and a pool center that connect through a series of walkways throughout the site. The proposed design incorporates these amenities with landscaping that exceeds the minimum quantities of trees and shrubs in the area.

The applicant states that since SW Murray Boulevard is a Major Pedestrian Route, Building Nos. 1 to 4 are design to abut the ROW. While some landscaping is provided along SW Murray as shown in the Landscape Plan, the design emphasizes the wider sidewalk design. The county has conditioned street trees and grates along the roadway, providing additional landscaping to soften the walkway.

While the proposal will not meet the minimum landscaping requirement of 15 percent, by meeting the conditions of the approval, the landscaping will soften the edges of buildings and parking areas and adds aesthetic interest to the development.

Therefore, staff find by meeting the conditions of approval, the Guideline is met.

7. Fences and Walls

B. Fences and walls constructed in front yards adjacent to public streets should provide the opportunity to view into the setback from the street unless high traffic volumes or other conflicts warrant greater security and protection. (Standard 60.05.25.6)

The fencing design along TV Highway is a combination of brick and steel tubing that is eight feet in height. The proposal includes a trellis and wall feature at the corner of TV Highway and Street A creating a main entrance to the development at this access point. The design of the fencing will allow the development to be viewed from the street.

Therefore, staff find the Guideline is met.

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **DR2018-0149 (West End District Mixed Use Development Design Review)** subject to the applicable conditions identified in Attachment G.

**LD2018-0034
ANALYSIS AND FINDINGS FOR
REPLAT ONE**

Section 40.03.1 Facilities Review Approval Criteria:

The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B and all the following criteria have been met:

Facilities Review Approval Criteria Section 40.03.1.A-L

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, the proposal meets Criteria A-L, and therefore meets the criterion for approval.

Therefore, the Committee finds that the proposal meets the criteria.

Section 40.45.05 Land Division Applications; Purpose

The purpose of the Land Division applications is to establish regulations, procedures, and standards for the division or reconfiguration of land within the City of Beaverton.

Section 40.45.15.2.C Approval Criteria

In order to approve a Replat One application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The application satisfies the threshold requirements for a Replat One.*

As part of Phase 1 of the development, the applicant proposes to consolidate lots 1S108DD00100 (100) and 1S108DD0200 (200) into one legal lot. Lots 100 and 200 are to be consolidated to 1S108DD00300 (300) in Phase 2 by another Replat application (LD2018-0035) into one legal lot

Therefore, staff find that the proposal meets the criterion for approval.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

The applicant has paid the required application fee for a Replat One application.

Therefore, staff find that the proposal meets the criterion for approval.

3. ***The proposed Replat does not conflict with any existing City approval, except the City may modify prior approvals through the Replat process to comply with current Code standards and requirements.***

City staff found no existing City approvals that the proposed Replat would conflict with.

Therefore, staff find that the proposal meets the criterion for approval.

4. ***Oversized parcels (oversized lots) resulting from the Replat shall have a size and shape which will facilitate the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed lots and future potential development on oversized lots. Easements and rights-of-way shall either exist or be provided to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot.***

An “oversized lot” is defined in the Development Code as, “A lot which is greater than twice the required minimum lot size allowed by the subject zoning district.” The minimum lot size required within the GC zoning district is 7,000 square feet. The proposal involves the creation of one (1) lot from two (2) existing lots. While the proposed parcels are oversized in that they are greater than 7,000 square feet, these parcels are commercial in nature and therefore oversized parcels do not affect density requirements.

The site is proposed to be a mixed use development containing 424 residential units and approximately 30,000 square feet of commercial area under one ownership. As described in Attachment A, responses to Section 40.03, critical and essential facilities serve the site and were reviewed. The Replat will not conflict with existing easements.

Therefore, staff find that the proposal meets the criterion for approval.

5. ***Applications that apply the lot area averaging standards of Section 20.05.15.D shall demonstrate that the resulting land division facilitates the following:***
- a) Preserves a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,***
 - b) Complies with minimum density requirements of [the Development] Code, provides appropriate lot size transitions adjacent to differently zoned properties, and where a street is proposed provides a standards street cross section with sidewalks.***

The subject site is zoned GC; minimum density does not apply and lot averaging standards in Section 20.05.15 does not apply.

Therefore, staff find that the criterion for approval does not apply.

6. *Applications that apply the lot area averaging standards of Section 20.05.15.D do not require further Adjustments or Variance for the Land Division.*

The subject site is zoned GC; lot averaging standards do not apply.

Therefore, staff find that the criterion for approval does not apply.

7. *If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.*

The applicant states the proposal is a phased development on tax lots 100, 200, and 300. Phase 1 is the development of the Lots 100 and 200. Phase 2 will add Lot 300 once the existing lease on the site has ended, requiring separate lot consolidations for each phase. Each phase meets all applicable city standards and provides the necessary public improvements for each phase.

Therefore, staff find that the criterion for approval does not apply.

8. *The proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties.*

The applicant states that the proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties.

Therefore, staff find that the proposal meets the criterion for approval.

9. *The proposal does not create a parcel which will have more than one (1) zoning designation.*

The single parcel created by the proposal will be zoned GC. The proposal will not create any new split zoned parcels.

Therefore, staff find that the proposal meets the criterion for approval.

10. *Applications and documents related to the request requiring further City approval, shall be submitted to the City in the proper sequence.*

The applicant has submitted all documents related to this request for Land Division approval. Design Review Three, another Land Division (Replat), one Loading Determination, and one Sidewalk Design Modification applications are being processed concurrently with the subject request. No additional applications or documents are needed at this time.

Therefore, staff find that the proposal meets the criterion for approval.

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **LD2018-0034 (West End District Mixed Use Development Lot Consolidation Phase 1)**, subject to the applicable conditions identified in Attachment G.

**LD2018-0035
ANALYSIS AND FINDINGS FOR
REPLAT ONE**

Section 40.03.1 Facilities Review Approval Criteria:

The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B and all the following criteria have been met:

Facilities Review Approval Criteria Section 40.03.1.A-L

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, the proposal meets Criteria A-L, and therefore meets the criterion for approval.

Therefore, the Committee finds that the proposal meets the criteria.

Section 40.45.05 Land Division Applications; Purpose

The purpose of the Land Division applications is to establish regulations, procedures, and standards for the division or reconfiguration of land within the City of Beaverton.

Section 40.45.15.2.C Approval Criteria

In order to approve a Replat One application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The application satisfies the threshold requirements for a Replat One.*

As part of Phase 2 of the development, the applicant proposes to consolidate lot 1S108DD00300 (300) to lots 1S108DD00100 (100) and 1S108DD0200 (200) into one legal lot. Lots 100 and 200 that are to be consolidated in Phase 1 by another Replat application (LD2018-0034) into one legal lot.

Therefore, staff find that the proposal meets the criterion for approval.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

The applicant has paid the required application fee for a Replat One application.

Therefore, staff find that the proposal meets the criterion for approval.

3. *The proposed Replat does not conflict with any existing City approval, except the City may modify prior approvals through the Replat process to comply with current Code standards and requirements.*

City staff found no existing City approvals that the proposed Replat would conflict with.

Therefore, staff find that the proposal meets the criterion for approval.

- 4. *Oversized parcels (oversized lots) resulting from the Replat shall have a size and shape which will facilitate the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed lots and future potential development on oversized lots. Easements and rights-of-way shall either exist or be provided to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot.***

An “oversized lot” is defined in the Development Code as, “A lot which is greater than twice the required minimum lot size allowed by the subject zoning district.” The minimum lot size required within the GC zoning district is 7,000 square feet. The proposal involves the creation of one (1) lot from two (2) existing lots. While the proposed parcels are oversized in that they are greater than 7,000 square feet, these parcels are commercial in nature and therefore oversized parcels do not affect density requirements.

The site is proposed to be a mixed use development containing 424 residential units and approximately 30,000 square feet of commercial area under one ownership. As described in Attachment A (Section 40.03), critical and essential facilities serve the site and were reviewed. The Replat will not conflict with existing easements.

Therefore, staff find that the proposal meets the criterion for approval.

- 5. *Applications that apply the lot area averaging standards of Section 20.05.15.D shall demonstrate that the resulting land division facilitates the following:***
- a) *Preserves a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,***
 - b) *Complies with minimum density requirements of [the Development] Code, provides appropriate lot size transitions adjacent to differently zoned properties, and where a street is proposed provides a standards street cross section with sidewalks.***

The subject site is zoned GC; minimum density does not apply and lot averaging standards in Section 20.05.15 does not apply.

Therefore, staff find that the criterion for approval does not apply.

6. *Applications that apply the lot area averaging standards of Section 20.05.15.D do not require further Adjustments or Variance for the Land Division.*

The subject site is zoned GC; lot averaging standards do not apply.

Therefore, staff find that the criterion for approval does not apply.

7. *If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.*

The applicant states the proposal is a phased development on tax lots 100, 200, and 300. Phase 1 is the development of the Lots 100 and 200. Phase 2 will add Lot 300 once the existing lease on the site has ended, requiring separate lot consolidations for each phase. Each phase meets all applicable city standards and provides the necessary public improvements for each phase.

Therefore, staff find that the criterion for approval does not apply.

8. *The proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties.*

The applicant states that the proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties.

Therefore, staff find that the proposal meets the criterion for approval.

9. *The proposal does not create a parcel which will have more than one (1) zoning designation.*

The parcels proposed for lot consolidation are all zoned GC. The proposal will not create any new split zoned parcels.

Therefore, staff find that the proposal meets the criterion for approval.

10. *Applications and documents related to the request requiring further City approval, shall be submitted to the City in the proper sequence.*

The applicant has submitted all documents related to this request for Land Division approval. Design Review Three, another Land Division (Replat), one Loading Determination, and one Sidewalk Design Modification applications are being processed concurrently with the subject request. No additional applications or documents are needed at this time.

Therefore, staff find that the proposal meets the criterion for approval.

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **LD2018-0035 (West End District Mixed Use Development Lot Consolidation Phase 1)**, subject to the applicable conditions identified in Attachment G.

**Land Division Standards Code Conformance Analysis for
LD2018-0034 and LD2018-0035**

| CODE STANDARD | CODE REQUIREMENT | PROJECT PROPOSAL | MEETS CODE? |
|--|--|---|------------------------|
| Grading Standards | | | |
| 60.15.10.1 Applicability | Grading standards apply to all land divisions where grading is proposed but do not supersede Section 60.05.25 Design Review. | The proposal is subject to the grading standards contained herein. | Yes |
| 60.15.10.2.A-C Exemptions | Exemptions include: Public right-of-way, storm water detention facilities, grading adjacent to an existing public-right of way which results in a finished grade below the elevation of the adjacent right-of-way. | Grading for improvements on SW Murray and TV Highway are exempt and subject to approval of the State, County, and City Engineers. | Yes |
| 60.15.10.3.A-F 0-5 Feet From Property Line | Maximum slope differentials from the existing or finished slope of the abutting residential property. | The subject site does abut a residentially zoned property and complies with grading standards. | Yes |
| Significant Trees and Groves | | | |
| 60.15.10.4 Significant Trees and Groves | Standards for grading within 25 feet of significant trees or groves. | No significant trees or groves exist on site. | N/A |

**LO2018-0006
ANALYSIS AND FINDINGS FOR
LOADING DETERMINATION APPROVAL**

Section 40.50.05 Loading Determination Application; Purpose

The purpose of a Loading Determination is to establish mechanism to determine or modify the required number of off-street loading spaces or modify the off-street loading space dimensions in advance of, or concurrent with, applying for approval of an application, development, permit, or other action.

Section 40.50.15.1.C Loading Determination Approval Criteria:

In order to approve a Loading Determination application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The proposal satisfies the threshold requirements for a Loading Determination application.*

The applicant proposes to modify the required number of loading berths, requesting that no loading berths are provided, but instead designate loading areas within the development. The applicant's request to reduce the number of required loading spaces meets Threshold 2 for a Loading Determination application:

Threshold 2: A request to modify the total number of off-street loading spaces from the required number listed in Section 60.25 (Off-Street Loading) of this code.

Therefore, staff finds that the criterion is met.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

The applicant paid the required fee associated with a Loading Determination application.

Therefore, staff finds that the criterion is met.

3. *The determination will not create adverse impacts, taking into account the total gross floor area and the hours of operation of the use.*

The applicant states the loading areas provided are to be located behind each building in the drive aisles of the parking lots with adequate space to allow traffic maneuver during loading/unloading. While the development proposes to create approximately 31,000 square feet of commercial area, the commercial area is distributed among the eight buildings oriented to Street A. With tenant spaces

ranging in size between approximately 900 and 1,400 square feet, full loading berths, would be difficult for the tenant spaces located in other buildings to utilize. Multiple locations would be more effective in accommodating multiple tenant spaces. The applicant's proposal to place the loading areas in the off-street parking area and along Street C ensures the loading does not impact SW Murray and TV Highway, public streets that connect to the development. The commercial and residential uses on the site will be overseen by a management company that can work with the commercial tenant to address any timing issues. Staff finds the proposed loading areas can adequately serve the proposed development without adverse impacts.

Therefore, staff finds that the criterion is met.

4. *There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the site and in connecting with the surrounding circulation system.*

The applicant states safe and efficient circulation patterns are provided with this development. Staff cite Criteria F and G of the Facilities Review Committee as applicable to this criterion. The loading areas are proposed in the parking areas to provide safe, efficient vehicle movements away from the primary building entrances. No pedestrian connections will be obstructed by the loading berth. Staff concurs that the loading berth is in the best location for safe circulation patterns.

Therefore, staff finds that the criterion is met.

5. *The proposal will be able to reasonably accommodate the off-street loading needs of the structure.*

The applicant states the site will be able to accommodate the needed off-street loading. While the development proposes to create approximately 31,000 square feet of commercial area, the commercial area is distributed among the eight buildings oriented to Street A. With tenant spaces ranging in size between approximately 900 and 1,400 square feet a loading berth is not warranted. The applicant proposes multiple loading areas throughout the site that would accommodate the size of the commercial areas more effectively. The proposal also includes a load area along Street C to provide an additional loading area several hundred feet from any public ROW and outside the off-street parking area. Based on the size of the uses and the multiple loading areas available, staff find the proposal will reasonably accommodate the off-street loading needs of the development.

Therefore, staff finds that the criterion is met.

6. ***The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that the improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.***

Staff cite the Facilities Review approval Criterion D which responds to this criterion in detail. Staff finds that the application complies with applicable provisions Chapter 60 nor can be made to comply through conditions of approval.

Therefore, staff finds that by meeting the conditions of approval the criterion is met.

7. ***Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities not subject to periodic maintenance by the City or other public agency.***

The applicant states that a management group will be created to manage the site as required. Staff finds nothing in the design or layout of the common facilities that would preclude adequate maintenance of the site. Additionally, staff cites Facilities Review Criterion E as applicable.

Therefore, staff finds that the criterion is met.

8. ***The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.***

The applicant has submitted all documents related to this request for Loading Determination approval. The application was submitted on October 17, 2018 and deemed complete on October 17, 2018 at the request of the applicant.

Therefore, staff finds that the criterion is met.

9. ***Applications and documents related to the request, which will require further City approval, shall be submitted to the City in proper sequence.***

The applicant has submitted all documents related to this request for Loading Determination approval. Design Review Three, two Land Divisions (Replat), and one Sidewalk Design Modification applications are being processed concurrently with the subject request. No additional applications or documents are needed at this time.

Therefore, staff finds that by meeting the conditions of approval the criterion is met.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **LO2018-0006 (West End District Mixed Use Development Loading Determination)**. Should the Planning Commission find that the proposal meets the criteria for approval staff has recommended conditions of approval in Attachment G.

**SDM2018-0010
ANALYSIS AND FINDINGS FOR
SIDEWALK DESIGN MODIFICATION**

Section 40.58.05. Sidewalk Design Modification Application; Purpose

The purpose of the Sidewalk Design Modification application is to provide a mechanism whereby the City's street design standards relating to the locations and dimensions of sidewalks or required street landscaping can be modified to address existing conditions and constraints as a specific application. For purposes of this section, sidewalk ramps constructed with or without contiguous sidewalk panels leading to and away from the ramp shall be considered sidewalks. This section is implemented by the approval criteria listed herein.

Section 40.58.15.1.C. Approval Criteria

In order to approve a Sidewalk Design Modification application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that the following criteria are satisfied:

1. The proposal satisfies the threshold requirements for a Sidewalk Design Modification application.

Section 40.58.15.1.A.1 Threshold: *An application for Sidewalk Design Modification shall be required when the following threshold applies:*

1. The sidewalk width, planter strip width, or both minimum standards specified in the Engineering Design Manual are proposed to be modified.

The applicant is proposing to design Streets A, B, and C as public streets and is requesting that the north side of Street A is to be constructed with a 5-foot wide curb-tight sidewalk to minimize impacts to the SNRA abutting the accessway, thereby meeting Threshold No. 1.

Therefore, staff find the proposal meets the criterion for approval.

2. All City application fees related to the application under consideration by the decision making authority have been submitted.

The City of Beaverton received the appropriate fee for the Sidewalk Design Modification application.

Therefore, staff finds the proposal meets the criterion for approval.

3. One or more of the following criteria are satisfied:

a. That there exist local topographic conditions, which would result in any of the following:

- i. A sidewalk that is located above or below the top surface of a finished curb.*
- ii. A situation in which construction of the Engineering Design Manual standard street cross-section would require a steep slope or retaining wall that would prevent vehicular access to the adjoining property.*
- b. That there exist local physical conditions such as:***
 - i. An existing structure prevents the construction of a standard sidewalk.*
 - ii. An existing utility device prevents the construction of a standard sidewalk.*
 - iii. Rock outcroppings prevent the construction of a standard sidewalk without blasting.*
- c. That there exist environmental conditions such as a Significant Natural Resource Area, Jurisdictional Wetland, Clean Water Services Water Quality Sensitive Area, Clean Water Services required Vegetative Corridor, or Significant Tree Grove.***
- d. That additional right of way is required to construct the Engineering Design Manual standard and the adjoining property is not controlled by the applicant.***

The applicant states Street B abuts the SNRA located along the northern portion of the subject site. By designing the curb-tight sidewalk the development will minimize impacts to this sensitive area and utilize the existing access points along SW Murray Boulevard.

Therefore, staff finds that the proposal meets the criterion for approval.

4. The proposal complies with provisions of Section 60.55.25 Street and Bicycle and Pedestrian Connection Requirements and 60.55.30 Minimum Street Widths.

The applicant states that the proposal complies with provisions of Section 60.55.25 as demonstrated. Staff refers to the Facilities Review findings for approval criterion D in reference to compliance with 60.55. The applicant must show compliance with the Conditions of Approval prior to issuance of a Site Development Permit for the proposed transportation facilities.

Therefore, staff finds that by meeting the conditions of approval, the proposal meets the criterion for approval.

5. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

The applicant has submitted all documents related to this request for Sidewalk Design Modification approval. Design Review Three, two Land Divisions (Replat), and one Loading Determination applications are being processed concurrently with the subject request. No additional applications or documents are needed at this time.

Therefore, staff finds the proposal meets the criterion for approval.

6. The proposed Sidewalk Design Modification provides safe and efficient pedestrian circulation in the site vicinity.

Staff cites the finding prepared herein in response to Criteria E and F of Facilities Review approval as adequate for supportive findings in response to Criterion No. 6 of SDM approval.

Therefore, staff finds the proposal meets the criterion for approval.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **SDM2018-0010 (West End District Mixed Use Development Sidewalk Design Modification)** subject to the applicable conditions identified in Attachment G.

CONDITIONS OF APPROVAL
The West End District Mixed Use Development

DR2018-0149 Design Review Three

A. Prior to issuance of the site development permit, the applicant shall:

1. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div./JJD/NP)
2. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code as set forth in City of Beaverton Engineering Design Manual and Standard Drawings, Beaverton Development Code, the Clean Water Services District Design and Construction Standards, and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD/NP)
3. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD/NP)
4. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality) facilities including plantings, CWS vegetative corridor enhancements & plantings, private streets, and common driveway/emergency access paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./JJD/NP)
5. Submit any required off-site easements, and the SPL-required new CWS-sensitive area and vegetated-corridor easement, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./JJD/NP)
6. Submit to the City a copy of issued permits or other approvals needed from Washington County for work within, and/or construction access to SW Murray Boulevard right of way. (Site Development Div./JJD/NP)
7. Submit to the City a copy of issued permits or other approvals needed from the Oregon Department of Transportation for work within, and/or construction access to the Tualatin Valley Highway (TV Hwy). (Site Development Div./JJD/NP)

8. Provide final grading plans to meet Beaverton Code 9.05.110 and 9.05.115, no grading can occur within 10 feet of a property line or half the height of the vertical embankment created, whichever is greater unless otherwise specifically approved by the City Engineer. (Site Development Div./JJD/NP)
9. Submit a geotechnical and geo-environmental report with the site development permit application for review and approval by the City Engineer. The report shall include an assessment of the soil and any toxic contaminants, ground/surface water issues, any needed clean-up action, remediation methods, Oregon Department of Environmental Quality requirements, disposal regulations, and construction worker safety measures. It shall be prepared by a professional engineer or registered geologist to the specifications of the City Engineer and rules of the Oregon Department of Environmental Quality (DEQ). Reference Oregon DEQ Case File 34-91-0199. (Site Development Div./JJD/NP) (Add notes to keep it more applicable with Phase 2?)
10. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD/NP)
11. Submit a detailed water demand analysis (fire flow calculations) in accordance with the requirements of the Fire Code as adopted by the Tualatin Valley Fire and Rescue. If determined to be needed by the City Building Official, this analysis shall be supplemented by an actual flow test and evaluation by a professional engineer (meeting the standards set by the City Engineer as specified in the Engineering Design Manual. The analysis shall provide the available water volume (GPM) at 20 psi residual pressure from the fire hydrant nearest to the proposed project. (Site Development Div./JJD/NP)
12. Submit a copy of issued permits or other approvals needed from the Clean Water Services District for storm system connections, wetland vegetative corridors, and any construction affecting agency sanitary-sewer trunk main (24 inches in diameter or larger). (Site Development Div./JJD/NP)
13. Submit a completed 1200-C Permit (DEQ/CWS/City Erosion Control Joint Permit) application to the City. The applicant shall use the standard plan format per requirements for sites 5 acres or larger adopted by DEQ and Clean Water Services. (Site Development Div./JJD/NP)
14. Submit a copy of issued permits or other approvals needed from the State of Oregon Division of State Lands and the United States Army Corps of Engineers for any work within a jurisdictional wetland. (Site Development Div./JJD/NP)
15. Provide final construction plans and a final drainage report, demonstrating compliance with City storm detention requirements (per Section 330, of City Ordinance 4417) and with CWS Resolution and Order 2017-005 in regard to redevelopment water quality treatment. (Site Development Div./JJD/NP)

16. Provide plans that delineate all areas on the site that are inundated during a 100-year storm event, including the safe overflow conveyance from proposed storm water management facilities. All plan sheets that show grading and elevations, shall identify the 100 year inundation level in addition to any mapped FEMA floodplains and flood ways. (Site Development Div./JJD/NP)
17. Provide any additional information as necessary to allow for a public notice to be published in a local newspaper. The public notice and a 10 day appeal period shall occur after final approval of the plans by the City Engineer, Planning Director, and City Building Official. (Site Development Div./JJD/NP)
18. Obtain the City Building Official's review and approval of the proposed private site utility plans if required by OAR 918-780-004. Any drain inlets under covered service facilities should be piped to the sanitary sewer system via an API or CPS-type oil/water separator or as approved by the City Building Official. Submittal of a geotechnical and hydrologic report is required for review and approval of private storm water infiltration system. (Site Development Div./JJD/NP) (Please review this COA)
19. Provide construction plans that show how each lot will be independently served by utility systems as required by the City Engineer and City Building Official per City standards. Any extra-capacity water, sanitary, and storm water facility improvements, as defined and determined by the City Utilities Engineer, shall be eligible for system development charge credits to be assigned to building pads. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer. Sheet flow of surface water from one lot's paved area to another lot's paved area shall not be considered a direct plumbing service. (Site Development Div./JJD/NP)
20. Submit to the City a certified impervious surface determination prepared by the applicant's engineer, architect, or surveyor. The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces, in square feet. Calculations shall indicate the square footage of pre-existing impervious surfaces, all new impervious surface area created, and total final impervious surface area on the entire site after construction. (Site Development Div./JJD/NP)
21. Pay storm water system development charges (storm water quantity and overall system conveyance) for the new impervious area proposed. (Site Development Div./JJD/NP)
22. Submit an owner-executed, notarized, City/CWS standard private storm water facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording with Washington County Records. (Site Development Div./JJD/NP)
23. Provide plans for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee-in-lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD/NP)

24. Provide plans for street lights, illumination levels to be evaluated per City Engineering Design Manual; Option C requirement unless otherwise approved by the City Public Works Director. (Site Development Div./JJD/NP)
25. Provide plans showing that any structural overhang into the public right of way shall be a non-structural attachment or in other words not integral (removable without damage) to the building structure. If a revocable right of way encroachment permit is desired by the owner or required by a financial institution or insurance company for the canopy, the City Attorney will need to be consulted to prepare a specific document for this situation. (Site Development Div./JJD/NP)
26. Show compliance with the ODOT conditions outlined in Attachment A.1. (Planning / SNK)
27. Show compliance with Washington County conditions as outlined in Attachment A.2 (Planning/SNK)
28. Provide a revised site plan showing a bus pull out along Tualatin Valley Highway shown on Exhibit K or as amended by the City Engineer. (Planning/ SNK)
29. Provide a revised Dimension Site Plan showing the parking stalls within the development comply with Section 60.30.15 and that if parking spaces are to overhang the curb, they do not impact walkway areas. (Planning / SNK)
30. Show compliance with ODOT's street lighting standards for TV Highway and Washington County's street lighting standards for SW Murray Boulevard. (Planning/SNK)
31. Obtain Sidewalk Design Modification approval to provide a curb tight sidewalk along the north side of Street B. (Planning / SNK)
32. Obtain Loading Determination approval to require no loading berths for the proposed development. (Planning / SNK)
33. Show walkways connecting parking areas to the rear entrance of each building (Planning/SNK).
34. Show the design and location of all ADA curb ramps at all intersections on Streets A, B, and C. (Planning / SNK)
35. Provide a revised Landscape Plan showing a minimum of 18 linear dbh added to the site for a total of 950 linear dbh of mitigation to be provided. (Planning/SNK)
36. Provide a revised Landscape Plan showing the laurel hedge at the perimeter of the development, along Tualatin Valley Highway, are planted 3-feet on center to provide a continues screening of the surface parking area to the roadway. (Planning/SNK)
37. Provide a revised Site Plan showing the north-south walkway located near the western property line extended to connect to the public sidewalk on Tualatin Valley Highway. (Planning/ SNK)

38. Provide a revised Lighting Planning showing lighting does not emit beyond the public access easement for Street A. (Planning/SNK)

39. Provide a revised Lighting Planning showing lighting is screen to minimize glare to public streets and accessways. (Planning/SNK)

B. Prior to building permit issuance, the applicant shall:

40. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD/NP)

41. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./JJD/NP)

42. Have a professional architect or engineer submit plans and specifications to the City Engineer and City Building Official verifying that all elements of the new construction are either elevated or flood proofed as appropriate per City Code, FEMA requirements, IBC Appendix G (Flood-resistant Construction), and ASCE/SEI 24-05, and as determined by the City Engineer and City Building Official to at least (173.6 feet NAVD-88) one foot above the base flood elevation (172.6 feet NAVD-88). (Site Development Div./JJD/NP)

43. Provide proof of recording necessary documents with Washington County Records associated with lot consolidation and easement quit claim deeds consistent with the approved site plans. (Site Development Div./JJD/NP).

C. Prior to recording the plat, the applicant shall:

44. Show granting of any required on-site easements on the plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div./JJD/NP)

45. Prior to submittal of mylars for signature the applicant shall provide paper copies of the proposed mylars for review. (Planning/SNK)

D. Prior to occupancy permit issuance, the applicant shall:

46. Have substantially completed the site development improvements as determined by the City Engineer, including streetlights being fully functional, franchise utility placed underground all existing overhead utilities and any new utility service lines within the project and along any existing street frontage, as determined at site development permit issuance, . (Site Development Div./JJD/NP)

47. Have the landscaping completely installed and provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD/NP)
48. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are missing, damaged, deteriorated, or removed by construction. (Site Development Div./JJD/NP)
49. Have obtained a Source Control Sewage Permit from the Clean Water Services District (CWS) and submitted a copy to the City Building Official if an Industrial Sewage permit is required, as determined by CWS. (Site Development Div./JJD/NP)
50. Have a professional architect, engineer, or surveyor submit a certification on Federal Emergency Management Agency (FEMA) standard form, to the City Building Official, verifying that the lowest finished floor is at least one foot above or flood-proofed to one foot above the base flood elevation 172.6 feet NAVD-88 (FFE elevation 173.6 feet NAVD-88). (Site Development Div./JJD/NP)
51. Have recorded the final plat in County records and submitted a recorded copy to the City. (Site Development Div./JJD/NP)
52. Have installed street trees along all frontages. (Planning /SNK)
53. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning /SNK)
54. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit B", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning /SNK)
55. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit C", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning /SNK)
56. Ensure all landscaping approved by the decision making authority is installed. (Planning /SNK)
57. Ensure all landscape areas are served by an underground landscape irrigation system. For approved xeriscape (drought-tolerant) landscape designs and for the installation of native or riparian plantings, underground irrigation is not required provided that temporary above-ground irrigation is provided for the establishment period. (Planning /SNK)

58. Ensure that the planting of all approved deciduous trees, except for street trees or vegetation approved in the public right-of-way, and has been completed. Deciduous trees shall have straight trunks and be fully branched, with a minimum caliper of 1-1/4 inches and a minimum height of 8 feet at the time of planting, except that dwarf and compact varieties may be approved at any size. Deciduous trees may be supplied bare root provided the roots are protected against damage. Each tree is to be adequately staked. (Planning /SNK)
59. All mechanical units, roof or ground mounted, must be screened from view of public streets and adjacent properties. (Planning /SNK)

E. Prior to release of performance security, the applicant shall:

60. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD/NP)
61. Submit any required on-site easements not already dedicated on the plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./JJD/NP)
62. Provide evidence of a post-construction cleaning and system maintenance, for the site's storm water treatment systems as determined by the City Engineer. Additionally, another servicing report from the maintenance provider will be required prior to release of the required maintenance (warranty) security. (Site Development Div./JJD/NP)
63. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the treatment vegetation within the surface water quality facility, as determined by the Public Works Director. If the plants are not well established (as determined by the Public Works Director) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record and landscape architect (or wetland biologist) that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Operations Director prior to release of the security. (Site Development Div./JJD/NP)

LD2018-0034 Land Division (Replat)

A. Prior to recording the plat, the applicant shall:

1. Show granting of any required on-site easements on the partition plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div./JJD/NP)
2. Prior to submittal of mylars for signature the applicant shall provide paper copies of the proposed mylars for review. (Planning/SNK)

LD2018-0035 Land Division (Replat)

A. Prior to recording the plat, the applicant shall:

1. Show granting of any required on-site easements on the partition plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div./JJD)
2. Prior to submittal of mylars for signature the applicant shall provide paper copies of the proposed mylars for review.

LO2018-0006 Loading Determination

1. Ensure that the Design Review Three (DR2018-0149) application has been approved and is consistent with the submitted plans. (Planning/SNK)

SDM2018-0010 Sidewalk Design Modification

1. Ensure that the Design Review Three (DR2018-0149) application has been approved and is consistent with the submitted plans. (Planning/SNK)

Sambo Kirkman

From: Sambo Kirkman
Sent: Wednesday, November 28, 2018 1:45 PM
To: 'Tonia Cottrell'
Subject: RE: West end dev Dec 5

Ms. Cotrell,

The applicant's proposal is for market rate housing. The proposal does not include discussions on affordable housing or work with nonprofits services as part of this development. Feel free to contact me if you have any additional questions.

Regards,

Sambo Kirkman, AICP

Senior Planner | Current Planning |Community Development
City of Beaverton | PO Box 4755 | Beaverton, OR 97076-4755
p: 503.526.2557 | f: 503.526.2550 | www.beavertonoregon.gov

From: Tonia Cottrell [mailto:tonia.m.cottrell@gmail.com]
Sent: Wednesday, November 21, 2018 7:30 PM
To: Sambo Kirkman <skirkman@beavertonoregon.gov>
Subject: West end dev Dec 5

I am interested in knowing when there will be a discussion of affordable housing in this new development. Also will there be work with a nonprofit to develop services as part of this development.

Tonia M. Cottrell

Creative, Compassionate and Committed to Social Justice

<https://www.linkedin.com/in/toniacottrelllcsw>
971-227-4484



November 7, 2018

ODOT #8143

ODOT Response

| | |
|--|--|
| Project Name: K-Mart Redevelopment-West End District Plan | Applicant: Pacific Community Design, Inc. |
| Jurisdiction: City of Beaverton | Jurisdiction Case #: DR2018-0149/LD2018-0034/LD2018-0035/LO2018-0006/SDM2018-0010 |
| Site Address: 14555 SW Tualatin Valley Hwy, Beaverton, OR 97006 | State Highway: Tualatin Valley Hwy (OR 8) |

The site of this proposed land use action is adjacent to Tualatin Valley Hwy (OR 8). ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation. **Please direct the applicant to the District Contact indicated below to determine permit requirements and obtain application information.**

COMMENTS/FINDINGS

The project is within the safe stopping distance of the public rail crossing. The applicant should contact the **Rail Contact** below to schedule an on-site diagnostic meeting to identify any safety improvements that may be required and determine whether a Rail Order is required.

Based on discussion at the pre-application conference, the Traffic Impact Analysis ((TIA) should be updated to address the phasing of the project (timeline for phase 2) and reporting capacity at the TV Hwy/Murray Blvd intersection at both build out and future year as required by City code. The TIA recommends the access to TV Hwy be restricted to right in/right out/left in movements. Due to fact that the intersection is a top SPIS site and left turns would be crossing three lanes of traffic at an uncontrolled location which is a major safety concern, the safest way to provide access to the highway is to restrict movements to right in/right out reinforced with a traffic separator. The TIA should be updated to reflect the access movement restriction.

In coordination with TriMet, we are recommending a bus pull out on TV Hwy.

All alterations within the State highway right of way are subject to the ODOT Highway Design Manual (HDM) standards. Alterations along the State highway but outside of ODOT right-of-way may also be subject to ODOT review pending its potential impact to safe operation of the highway. If proposed alterations deviate from ODOT standards a Design Exception Request must be prepared by a licensed engineer for review by ODOT Technical Services. Preparation of a Design Exception request does not guarantee its ultimate approval. Until more detailed plans have been reviewed, ODOT cannot make a determination whether design elements will require a Design Exception.

Note: Design Exception Requests may take up to 3 months to process.

All ODOT permits and approvals must reach 100% plans before the District Contact will sign-off on a local jurisdiction building permit, or other necessary requirement prior to construction.

ODOT RECOMMENDED LOCAL CONDITIONS OF APPROVAL

Traffic Impacts

- ☒ The applicant shall submit a traffic impact analysis to assess the impacts of the proposed use on the State highway system. The analysis must be conducted by a Professional Engineer registered in Oregon. **Contact the ODOT Traffic representative identified below and the local jurisdiction to scope the study.**

Frontage Improvements and Right of Way

- ☒ Curb, sidewalk, cross walk ramps, shoulder and bus pull out shall be constructed as necessary to be consistent with local, ODOT and ADA standards.
- ☒ 11ft of right of way deeded to ODOT as necessary to accommodate the planned cross section shall be provided. The deed must be to the State of Oregon, Oregon Department of Transportation. The ODOT District contact will assist in coordinating the transfer. ODOT should provide verification to the local jurisdiction that this requirement has been fulfilled. The property owner must be the signatory for the deed and will be responsible for a certified environmental assessment of the site prior to transfer of property to the Department.

Note: It may take up to **3 months** to transfer ownership of property to ODOT.

Access to the State Highway

- ☒ A State Highway Approach Road Permit from ODOT for access to the state highway for the proposed use is required. Truck turning templates shall be provided as needed to ensure vehicles can enter and exit the approach safely. Site access shall be restricted to right in/right out movements by a raised traffic separator. Site access to the state highway is regulated by OAR 734.51. For application information go to <http://www.oregon.gov/ODOT/HWY/ACCESSMGT/Pages/Application-Forms.aspx>.

Note: It may take **2 to 3 months** to process a State Highway Approach Road Permit.

Permits and Agreements to Work in State Right of Way

- ☒ An ODOT Miscellaneous Permit must be obtained for all work in the highway right of way. When the total value of improvements within the ODOT right of way is estimated to be \$100,000 or more, an agreement with ODOT is required to address the transfer of ownership of the improvement to ODOT. An Intergovernmental Agreement (IGA) is required for agreements involving local governments and a Cooperative Improvement Agreement (CIA) is required for private sector agreements. The agreement shall address the work standards that must be followed, maintenance responsibilities, and compliance with ORS 276.071, which includes State of Oregon prevailing wage requirements.

Note: If a CIA is required, it may take up to **6 months** to process.

- ☒ The applicant must obtain an ODOT permit to place trees in the state right of way. Tree spacing and design must be consistent with the ODOT Highway Design Manual section 4.2.6 (http://www.oregon.gov/ODOT/Engineering/Documents_RoadwayEng/HDM_04-Cross-Sections.pdf).

If proposed tree placement deviate from ODOT standards (such as placement in a planter strip), a Design Exception Request for clear zone must be prepared by a licensed engineer for review by

ODOT Technical Services. Preparation of a Design Exception request does not guarantee its ultimate approval.

Note: It may take up to **3 months** to process a Design Exception.

☒ Illumination within the ODOT right of way must be in accordance with AASHTO illumination standards and the ODOT Lighting Policy and Guidelines, which states that local jurisdictions must enter into an Intergovernmental Agreement (IGA) with ODOT wherein the local jurisdiction is responsible for installation, maintenance, operation, and energy costs.

☒ An ODOT Miscellaneous Permit is required for connection to state highway drainage facilities. Connection will only be considered if the site's drainage naturally enters ODOT right of way. The applicant must provide ODOT District with a preliminary drainage plan showing impacts to the highway right of way.

A drainage study prepared by an Oregon Registered Professional Engineer is usually required by ODOT if:

1. Total peak runoff entering the highway right of way is greater than 1.77 cubic feet per second; or
2. The improvements create an increase of the impervious surface area greater than 10,758 square feet.

Property Location Within Safe Stopping Distance of a Public Rail Crossing

☒ A Crossing Order is required for any alterations within the safe stopping distance of the public rail crossing. To alter means any change to the roadway or tracks at a crossing that materially affects use of the crossing by railroad equipment, vehicles, bicyclists or pedestrians. Alterations include, but are not limited to: changing the width of the roadways; installing or removing protective devices; creating an additional travel lane; installing curbs, sidewalks, or bicycle facilities. **Contact the ODOT Rail Crossing Specialist below for information on the Crossing Order application process and to schedule an onsite diagnostic meeting.**

ADVISORY INFORMATION

Noise

☒ The applicant is advised that a residential development on the proposed site may be exposed to noise from heavy rail freight trains, passenger trains or transit vehicles. It is generally not the State's responsibility to provide mitigation for receptors that are built after the noise source is in place. Builders should take appropriate measures to mitigate the noise impacts.

Please send a copy of the Notice of Decision including conditions of approval to:

ODOT Region 1 Planning
Development Review
123 NW Flanders St
Portland, OR 97209

Region1_DEVREV_Applications@odot.state.or.us

| | |
|---|---|
| Development Review Planner: Marah Danielson | 503.731.8258, marah.b.danielson@odot.state.or.us |
| Traffic Contact: Avi Tayar, P.E. | 503.731.8221 |

| | |
|-------------------|------------------------|
| District Contact: | D2BUP@ODOT.State.or.us |
|-------------------|------------------------|



WASHINGTON COUNTY, OREGON

Department of Land Use and Transportation, Operations & Maintenance Division
1400 SW Walnut Street, MS 51, Hillsboro, Oregon 97123-5625
(503) 846-7623 • FAX: (503) 846-7620

November 15, 2018

To: Sambo Kirkman, Senior Planner

From: Naomi Vogel, Associate Planner

RE: West End District Mixed Use Development
City File Number: **DR2018-0149 / LD2018-0034 / LD2018-0035**
County File Number: CP18-917
Tax Map and Lot Number: **1S108DD00100/00200/00300**
Location: **SW Murray Boulevard/SW Tualatin Valley Highway**

Washington County Department of Land Use and Transportation has reviewed this development application to replace an existing 123,467 square foot commercial building with 424 residential units and 31,000 square feet of commercial area to be constructed in two (2) phases. Access to the development will be via SW Tualatin Valley Highway and two (2) existing driveways located on SW Murray Boulevard, a County-maintained Arterial.

1. ***The development will utilize two (2) existing accesses on SW Murray Boulevard, B Street and C Street. The County Engineer has reviewed the Traffic Impact Analysis submitted for this development (Kittleson & Associates – February 20, 2018) for compliance with R&O 86-95. The County concurs with the “Recommendations” on page 26 of the TIA with the exception of signage proposed to restrict C Street to right-in/right-out only movements. The applicant is required to install a median on SW Murray Boulevard and a pork chop at C Street approach to restrict left-in/left-out movements. The median shall be designed as to not restrict turning movements for driveways located on the east side of SW Murray Boulevard.***
2. Resolution and Order 86-95 requires a minimum sight distance (measured in feet) equal to ten times the vehicular speed of the road(s) at proposed access location(s). This requirement applies to sight distance in both directions at each access.

The applicant will be required to provide certification from a registered professional engineer that adequate sight distance exists in both directions (or

can be obtained pursuant to specific improvements) at both accesses on SW Murray Boulevard.

3. Consistent with statewide pedestrian circulation/linkage goals of the Transportation Planning Rule and the County's R&O 86-95 (road safety requirements), the County normally requires sidewalk installation as a minimum road safety improvement along site frontage of all County-maintained roads. Sidewalks further establish future street profiles, demarcate County or City right-of-way, and address drainage issues. Sidewalk requirements are not generally waived, even when sidewalk is not currently present on neighboring properties. Rather, even non-contiguous sidewalk is considered to provide some measure of pedestrian refuge and ideally, makes possible eventual connection of sidewalks (as surrounding development takes place and is likewise conditioned to provide sidewalk). Additionally, the Washington County Road Design and Construction Standards require provision of adequate drainage along a site's frontage of a county road.

Reconstruction of the existing half-street improvement to an A-2 County standard is required on SW Murray Boulevard. The half-street improvement shall include an 8 foot wide bike lane, 10 foot wide sidewalks with tree wells and continuous street lighting to County standards.

4. The statewide Transportation Planning Rule requires provision for adequate transportation facilities in order for development to occur. Accordingly, the County has classified roads and road segments within the County system based upon their function. The current Transportation Plan (regularly updated) contains adequate right-of-way, road width and lane provision standards based upon each roadway's classification. Subject right of way is considered deficient if half-width of the existing right of way does not meet that determined necessary within the County's current transportation plan.

The applicant shall dedicate right-of-way to meet 51 feet from the centerline of SW Murray Boulevard, including adequate corner radius.

Note: All private signage and improvements are required to be located outside of the dedicated ROW and easements.

REQUIRED CONDITIONS OF APPROVAL

I. PRIOR TO ISSUANCE OF A SITE DEVELOPMENT PERMIT FOR PHASE I BY THE CITY OF BEAVERTON:

- A. The following shall be recorded with Washington County (contact County Survey Division - 503.846.3689):
 1. Dedication of additional right-of-way to meet 51 feet from the centerline of SW Murray Boulevard, including adequate corner radius at both street connections to SW Murray Boulevard.

2. Provision of a non-access reservation along the site's frontage of SW Murray Boulevard, except at the street connections approved in conjunction with this land use application
3. Dedication of permanent sight visibility easement on the subject property to ensure visibility at both accesses on SW Murray Boulevard, if required per the preliminary Sight Distance Certification.

B. Submit to **Washington County** Public Assurance Staff, 503-846-3843:

1. A "Design Option" form and Engineer's Checklist (Appendix E of the County's Road Design and Construction Standards).
2. **\$10,000.00** Administration Deposit.

NOTE: The Administration Deposit is a cost-recovery account used to pay for County services provided to the developer, including plan review and approval, field inspections, as-built approval, and project administration. The Administration Deposit amount noted above is an estimate of what it will cost to provide these services. If, during the course of the project, the Administration Deposit account is running low, additional funds will be requested to cover the estimated time left on the project (at then-current rates per the adopted Washington County Fee Schedule). If there are any unspent funds at project close out, they will be refunded to the applicant. Any point of contact with County staff can be a chargeable cost. If project plans are not complete or do not comply with County standards and codes, costs will be higher. There is a charge to cover the cost of every field inspection. Costs for enforcement actions will also be charged to the applicant.

3. A copy of the City's Land Use Approval with Conditions, signed and dated.
4. Preliminary certification of adequate sight distance for SW Murray Boulevard, in accordance with County Code, prepared and stamped by a registered professional engineer, as well as:
 - a. A detailed list of improvements necessary to produce adequate intersection sight distance (refer to the following link for sight distance certification submittal requirements).

<http://www.co.washington.or.us/LUT/Divisions/CurrentPlanning/development-application-forms.cfm>

5. Three (3) sets of complete engineering plans for construction of the following public improvements, Geotech/Pavement report to support roadway sections, construction access details, a traffic control and circulation plan (for County roads):
 - a. Half-street improvements along the site's frontage of SW Murray Boulevard to an **A-2** County Standard. The half-street improvement shall consist of a 10 foot sidewalk with tree wells and continuous street lighting to County standards.
 - b. Improvements within the right-of-way as necessary to provide adequate intersection sight distance at both accesses on SW Murray Boulevard.

- c. Access to SW Murray Boulevard to County standards. ***Access to SW Murray Boulevard through the existing gas station is not permitted.***
 - d. Installation of a median/traffic separator on SW Murray Boulevard to restrict Street C to a right-in/right-out access to County standards. ***The median shall be designed as to not restrict turning movements for driveways located on the east side of SW Murray Boulevard.***
 - e. Construction of a pork chop at C Street to County standards.
- C. Obtain a Washington County **Facility Permit** upon completion of the following:
- 1. Obtain Engineering Division approval and provide a financial assurance for the construction of the public improvements listed in conditions **I.B.5.**

NOTE: The Public Assurance staff (503-846-3843) will send the required forms to the applicant's representative **after** submittal and approval of items listed under **I.B.**

The Facility Permit allows construction work within County rights-of-way and permits site access only after the developer first submits plans and obtains Washington County Engineering approval, obtains required grading and erosion control permits, and satisfies various other requirements of Washington County's Assurances Section including but not limited to execution of financial and contractual agreements. This process ensures that the developer accepts responsibility for construction of public improvements, and that improvements are closely monitored, inspected, and built to standard in a timely manner. Access will only be permitted under the required Washington County Facility Permit, and only following submittal and County acceptance of all materials required under the facility permit process.

II. PRIOR TO OCCUPANCY OF PHASE I:

Obtain a Finaled Washington County **Facility Permit**, contingent upon the following:

- A. The road improvements required in condition **I.B.5.** above shall be completed and accepted by Washington County.
- B. Upon completion of necessary improvements, submit **final** certification of adequate sight distance in accordance with County Code, prepared and stamped by a registered professional engineer.

III. PRIOR TO ISSUANCE OF A SITE DEVELOPMENT PERMIT FOR PHASE 2 BY THE CITY OF BEAVERTON:

- A. The following shall be recorded with Washington County (contact County Survey Division - 503.846.3689):
 - 1. Dedication of an easement for any portion of the half-street not within the right-of-way of SW Murray Boulevard.

B. Submit to **Washington County** Public Assurance Staff, 503-846-3843:

1. A "Design Option" form and Engineer's Checklist (Appendix E of the County's Road Design and Construction Standards).
2. **\$5,000.00** Administration Deposit.
3. A copy of the City's Land Use Approval with Conditions, signed and dated.
4. Three (3) sets of complete engineering plans for construction of the following public improvements, Geotech/Pavement report to support roadway sections, construction access details, a traffic control and circulation plan (for County roads):
 - a. Half-street improvements along Phase 2 frontage of SW Murray Boulevard. The half-street improvement shall consist of 10 foot sidewalks with tree wells and continuous street lighting to County standards.
 - b. Closure of existing driveways on SW Murray Boulevard to County standards.

C. Obtain a Washington County **Facility Permit** upon completion of the following:

1. Obtain Engineering Division approval and provide a financial assurance for the construction of the public improvements listed in conditions **III.B.4**

IV. PRIOR TO OCCUPANCY OF PHASE 2:

Obtain a Finaled Washington County **Facility Permit**, contingent upon the following:

- A. The road improvements required in condition **III.B.4** above shall be completed and accepted by Washington County.

Naomi Vogel - Associate Planner

Cc: Rob Saxton P.E., Road Engineering Services
Traffic Engineering Services
Paul Seitz, Assurances Section
Transportation File